

6 Trade in America 16. 75
A
D E F E N C E

OF THE
RESOLUTIONS AND ADDRESS

OF THE
Continental
AMERICAN CONGRESS,

IN REPLY TO
TAXATION NO TYRANNY.

By the AUTHOR of REGULUS.

To which are added,

GENERAL REMARKS

ON THE
LEADING PRINCIPLES
OF THAT WORK,

As Published in The LONDON EVENING POST
of the 2d and 4th of May;

AND

A SHORT CHAIN
OF
DEDUCTIONS
FROM
ONE CLEAR POSITION
OF
COMMON SENSE AND EXPERIENCE.

L O N D O N:

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THE GENERAL CONGRESS OF AMERICA
NOBLY STRUGGLING UNDER OPPRESSION
FOR THE SACRED RIGHTS OF
ENGLISHMEN,
TOO VIRTUOUS TO BE BRIBED,
TOO WISE TO BE ENSNARED,
TOO BRAVE TO BE INTIMIDATED,
BY AN ADMINISTRATION,
WHOSE STRENGTH IS CORRUPTION,
WHOSE POLICY, INFATUATION,
WHOSE SPIRIT, THE BLUSTER OF
COWARDICE,
THIS PAMPHLET,
WRITTEN IN THEIR DEFENCE,
IS
INSCRIBED AND DEDICATED,
BY A FRIEND TO THE COMMON RIGHTS
OF MANKIND.

3

THE GENERAL CONGRESS OF AMERICA
PEOPLES STRUGGLING UNDER OPPRESSION
FOR THE SACRED RIGHTS OF
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DEFENCE, &c.

THE learned Author of the celebrated work before us has shewn great address in the defence of error, by endeavouring at the first onset to disarm our Reason, and turn us over to the faith of axioms. His vague title, unfortunately begs, or rather steals the question, which his opponents will never grant. We will readily indulge him in the pomp and parade of his outset, and allow, what he advances with the air of novelty, as well as solemnity, "That fundamental principles and common axioms, which are generally received, are little doubted, and being little doubted have been rarely proved." It is not difficult to comprehend that first principles, that is, the *clearest* principles, whether of speculation or practice,

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cannot

cannot well be made *clearer*; and that being in their nature incapable of proof, they must necessarily have been "*rarely proved.*" And indeed, the profound writer very justly allows after this concession, "that *operose* deductions from these principles are but a vain effort to make that seen which can only be felt." The flourish therefore of the rhetorical weapon of this great master upon the threshold, having been merely to throw himself into an attitude, and gain the respect of his readers, we shall quit with him the fairy ground of metaphysics; for axioms we shall substitute laws; for first principles, constitutional principles and compacts; and however absurd it may appear to reason upon those grand fundamental *positions*, which can only be felt, but not investigated, we shall endeavour to bring them, in their proper place, to the test of reason, law, and equity.

The Tory doctrine, as it relates to religion or government, is always wrapped in creed and mystery; and all that is required of its disciples, is implicit faith and passive obedience; not a reasonable and a voluntary service. Superstition and tyranny, like the NILE and GANGES, must not be traced to their sources. Their heads must be shrowded in darkness and obscurity to insure the faith of their worshippers. It is thus with the chain of deductions before us; the first link is concealed in axioms incapable of investigation, and the last tied to credulity; it will thus operate like enchantment; effectually bind both the hands and consciences of mankind, and
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render them tamely subservient to every pious fraud of kings or priests.

From the infidelity of the Americans, this chain can no more bind their arms, than blind their understandings; and it is hoped neither the *chains* nor the thunderbolts forged by this Vulcan for the British Jupiter, the supreme power, will quell the Titans of the Western world.

Not that they mean, as is asserted in the next insidious paragraph, to "exempt themselves from the authority of their lawful sovereign," though they justly disclaim all unlimited and unlawful dominion, both of the Crown and mother-country; which they conceive has no more authority over *their* property, than *they* over her's. But it seems whether this doctrine be just or unjust, the author is for sacrificing every thing to "*English honour*" and *English power*." Interest is the stream with which he swims; and with him honest principle is but an *eddy*, to be borne down, and lost in the tide of corrupt government,

In the next link of the laboured chain we are told, "to be prejudiced is always to be weak," &c. To this it may be replied, it is worse to be wise and wicked. To love our country truly is to love the whole of it, the colonies as well as the parent state. The man who would oppress the former, in order to aggrandize the latter, or rather her imperious master only, does not love his coun-

try. He is her greatest enemy who would make her tyrannical and unjust.

Whose prejudices, therefore, are the most humane and liberal, theirs who feel for the liberty and the happiness of the whole empire, or the mere local partiality of those, who can extend neither justice nor humanity beyond the place of their nativity? This is equally weak and wicked.

Patriotic prejudices may produce error, and even temporary violence. Artifice is the province of government; and when the fraud of a BUTE and MANSFIELD, and the sophistry of a JOHNSON miscarry, we see clearly, the ultima ratio that must support their argument,

If the nation were of the *pensioner's* complexion, there would be no danger of its being mollified by a "tender tale," nor even moved by claims of justice. The insulting irony of this and some following paragraphs, to the 7th page, is intended to stimulate the false pride, to awaken the jealousy, and rouse the resentment of the kingdom. But in spite of inflammatory declamation, addressed to vulgar prejudices, it is true that the Americans have been industrious, and that we have reaped the fruits of their industry. It is true, that their industry has been obstructed by restraints and prohibitions, to which they have cheerfully submitted, for the general good. It is equally true, whether "we melt in silent sorrow," or, as better suits our nature and principles, mock with
 impotent

impotent scorn, that this persevering industry, has raised them under the blessing of Providence, to such population, strength, and spirit, as it may be prudent in us to treat with more respect. But when the venal advocate of tyranny would insinuate, that they have thus grown and flourished under governments *like* the present, he advances what all history and experience prove to be false. Let him, therefore, sneer at the Whigs in illiberal terms; it is certain that Tory governments, which would annihilate property and freedom, are the bane of industry and population; and are so far from producing men "fierce for liberty," that they produce slaves only, who are fierce for nothing but bribes and pensions.

Therefore, if under a government of this complexion, the natives of Britain are stooping to despotism, and softening into slaves, they will be ill qualified to bend the stubborn necks, which justly disdain such a dominion.

And if they who are only brethren, have been vain enough to think themselves "masters" of the Americans, of their liberty and property, their country and conscience, it is indeed high time, as the Doctor observes, that they should assert their authority, or be made sensible of their error.

And let them not so sanguinely despise the Rattle-Snake, or Hydra, as America is politely styled, until they shall have taken out the sting, and gained

gained the Hydra security for their own heads at home!

In reply to what follows in derogation from traders and merchants, it may be justly said, that all traders are no more selfish, than all scholars, pedants or pensioners. Our merchants are a class of men distinguished for liberality both of sentiment and manners; far better qualified for public business, or polite life, than the college clown and bigot; especially, if a Cynic by education, he should be a bear by nature.

“ A merchant’s desire, we are told, is not of glory, but of gain;” he is therefore not to be consulted about war or peace, or any designs of wide extent, or distant consequence. And pray, will this oracle of wisdom inform us, what are the great objects of peace and war, in a commercial state, but interest and gain? Wherefore does *he prompt and solicit* the slaughter of our American brethren? Is it for the glory of the deed, or the profit of taxation? Does the glory of tyranny inspire his pen, or the nett produce of his servility, a vile pension? more vilely and basely earned, than the most fraudulent profits of the lowest mechanic! And indeed, with whatever abilities an hireling may execute his task, it is impudence in him to talk of disinterestedness and public spirit.

But it seems the traders of Birmingham have luckily stood forth to rescue trade and commerce from disgrace. They are men of uncommon penetration,

netration, and see almost as far as their purblind panegyrist, through the clouds of Fate and smoak of their forges, "to lasting happiness, victory, and settlement." The dealers of Birmingham are great venders of counterfeit wares; their spectacles are remarkably bad, and have represented American affairs in so false a light, that many other persons, as well as Dr. Johnson, have been grossly deceived by them. It is feared the chain of deductions will receive neither strength nor ornament from this paltry link. We cannot, however, help admiring the candour, as well as sagacity of of this great man, who having discovered that merchants, with all the advantages of fortune, education, and connexions, are yet mere grubs, "without any desire but of gain," at the same time, celebrates a set of low mechanics, nursed in ignorance, and bred in fraud, for a penetration so superior, as to direct government; and a greatness of soul above every consideration, but the "rights and dignity of their native country." And by this nauseous piece of flattery to a few low dependants on ministerial creatures, has left us at a loss which to admire most, the impudence of *their* address to Parliament, or of *his* address to them.

But let us not imagine that he who has flattery for *low slaves* of his own opinions, can find common civility for his superiors of different principles. The Earl of Chatham is introduced in the next paragraph as the "great actor of patriotism," which is only a softer term for a great hypocrite,
and

and *impostor*. His Lordship is treated with impertinent sneer, for supposing the Bostonians might do again, what their ancestors had done before; retreat from a cultivated country, and the comforts of a "warm home, to till the desert, escape from tyrants, and be free." The accommodations of life are no comforts when they are not our own, but held at the mercy of another. But such are the pensioner's generous sentiments, that he fears no tyrant but necessity. Ease and sloth, a warm home, and a master who will maintain him at other people's expence, seem to to be his supreme happiness; let who will discover, and cultivate other countries, he regards men of generous and enlarged sentiments, combating the hardships of such a situation, as in no better a condition than the "felon in the gallies, or the pointer under the lash;" though these much more resemble the slave that receives his task and his pension from an imperious master. The American emigrant can not only create good for himself, but, as appears from the present conduct of government, he can create a great deal for others to envy and covet; and the same manly toil and virtue which gained him one warm house, and the comforts of social life, will either defend his property by arms, or if driven from it by superior force, will procure him the same comforts in a more secure retreat. But the lettered pensioner, with the refined sentiment and language of his brother beef-eaters, laments the folly of such obstinate virtue, in "leaving good houses to wiser men;" and asks, "who can be more a slave than he that is driven by force from

from the comforts of life, is compelled to leave his house to a casual comer; and whatever he does, or wherever he wanders, finds every moment some new testimony of his own subjection?" There is something superlatively base and groveling in this sentiment, equally beneath an Englishman, a philosopher, and a christian; since *he* is infinitely more a slave who gains or preserves these comforts dishonourably; and the hardships *he* encounters whose virtue compels him to resign them, are the noblest testimonies of his triumph instead of his subjection. The man who follows the lead of virtue is free, not the wretch who abandons it, to wallow in the sty of kitchen luxury.

So much for the sneer and buffoonery of some past pages, which would impudently ridicule as impossible, what has actually been done at the first emigration of the American colonies, and under infinitely more disadvantages than can be experienced in a country already subdued and cultivated.

From aukward pleasantry, which ill becomes both the writer and the subject, he is at last driven into serious, but by no means fair and impartial argument. "There are, says he, who tell us, that to tax the colonies is usurpation and oppression, &c." This is not true. Neither the Americans, nor their advocates here, object against taxation, but only against the right of the British Parliament to tax them, with whom they have no common interest, or participation of legislative authority.

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They have always taxed themselves for the exigencies of their own governments, and are ready, under the authority of their provincial assemblies, to bear cheerfully their share of the common burden. It is therefore not to taxation that they object, but to the mode of it only, by the Parliament, that is, the Minister of Britain.

The question, as the Doctor observes, is undoubtedly "of great importance." But it is a question, not of ability to bear, but of the right to impose; or rather, it is now a question of power instead of right, or perhaps it may be ere now, no question at all. And indeed, it could be a question of little moment to decide upon, whether the British legislature be guilty of robbery, or America of rebellion, unless the former could be made accountable and punished, as well as the latter. When the thief is above the law, it is but little consolation to convict him of a theft. But if robbery be taking a man's property against his consent, and contrary to law, and rebellion be resistance by acts of violence to government, lawfully administered, we shall pretty easily arrive at a solution of this great question in the theory, altho' the great generals and great guns in America may not so soon decide upon it.

To favour the Tory plan of colony taxation, and his own argument, the learned pensioner has given us a definition of a tax in the following words.

"A tax

"A tax is a payment exacted by authority from part of the community, for the benefit of the whole. From whom, and in what proportion such payment shall be required, and to what uses it shall be applied, *those* only are to judge to whom government is intrusted."

The language of this definition is as barbarous, as the doctrine it contains is unconstitutional. A tax is not the *payment*, but the law which obliges to the payment; otherwise the tax must come from the people, not from government. For if the tax were the payment, there would be no tax 'till there was a payment, and therefore the tax and the money would be the same thing, which cannot be the case, since one is the cause, the other the effect; the former from government, the latter from the subject. The definition is no less unfortunate as it proceeds; it is not "*exacted* by authority from part of the community for the benefit of the whole." It is *granted* by the community through the representatives of it, for the exigencies of the state, and *they only*, not executive government, as is insinuated, are to judge both of the quantum and the application,

And indeed, his next paragraph grants so much in favour of the Americans, as in a manner to give up the point; for if, as he allows, "*they do not refuse* their contributions to the exigencies, *whatever they may be*, of the British empire," I do not see what more can be required of them, or what advantage it can be to government, to take that by compul-

sion which they are ready to give voluntarily ? But we are told afterwards, in direct contradiction to this concession, that they will only give *what, and when, and how* they please; and although they actually "do not refuse their contributions to *any exigencies whatever,*" yet they will "not co-operate with the other dominions of the King, by any means which they do not like, nor at a greater charge than they are willing to bear." In short, to complete the climax of American absurdity, "they will be subjects without subordination, and live under a dominion without authority." But is this state of the case a just picture of American folly and faction, or of Dr. Johnson's false and fallacious argument? The man who grossly supposes as a first principle, all governments alike absolute, knows no medium betwixt subordination and slavery. And although he knows full well that the Commons of England have a lawful and an absolute controul upon government, in granting or refusing aids and contributions, as they approve or disapprove of its principles and plans, he cannot comprehend how America should possess the same constitutional powers to guard *her* freedom and property against the aspiring dominion and encroachments of the Crown. She may be mocked with nominal governments in her own provincial Assemblies or or Parliaments. She may deliberate, and even determine in matters of little or no moment, under the negative and dissolving power of the King's representatives; but where her most sacred rights are at stake, she must deliberate without a choice, and

and only to obey ; for the supreme power, it seems, is not to be controuled or resisted, whatever its designs or operations may be. It is as much the duty of subordinate governments, and of the subject in general, to contribute *against* their own safety and interest as in support of them; and by supplying the means of tyranny, they are bound chearfully to commit suicide upon themselves, at the peril of halters here, and the curse of God hereafter. So that if there exists in any part of the British dominions a power to levy and appropriate taxes independent of the people, what shall hinder a decimation, or any other exaction upon public property, to be expended for men and arms to put this matter beyond dispute? Nothing but an excess of virtue, or an extreme infatuation in our princes, could have prevented their being masters of such a military force, but the *want* of this power; a power which government is so far from possessing, as Dr. Johnson ignorantly, or corruptly affirms, that it is obliged not only to *ask* supplies from the people, but to *declare* the *services*, and the *sums* appropriated to each, before the grant can be obtained. With what face then of reason or decency does he assert, “ that taxes are payments *exacted* by *authority*, the proportions and applications of which *those* only are to judge of, to whom government is *intrusted* ? ” What a jumble of absurdity and contradiction is this ! Government is *intrusted*, and yet government is under no controul. It is deputed, but without conditions ; although a secondary power, it is the first and chief ; and being delegated, it is supreme and absolute ; it can
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both exact and apply the public revenue without question or account. Does not this convince us that there may be learned blockheads as well as grown children? That an overgrown pedant may want a slobbering bib, as well as the unlettered idiot? That cramming the intellects may cause stupidity as well as cramming the stomach? That a man may fairly read his understanding blind, as well as his eyes? And that a canine appetite for meat or letters, will breed only indigestion, wind, and crudities? We cannot wish a more striking proof of the learned Doctor's judgment and impartiality, than his honouring the sage, penetrating, and prophetic *Montesquieu*, with the epithet of *fanciful*, after quoting from him a maxim of the soundest policy; whilst an extravagant fally of the chimerical *Fontenelle*, is seriously applied to argument. The reason is clear. The former contradicts his opinions, by giving consequence to the people; the latter, by insulting the common sense of mankind, flatters his learned pride. Upon the whole, can there be a stronger proof of a monkish, cell-bred mind, and fordid spirit, than such a man remaining in the lowest prejudices of the most uncultivated ages, after crowding his lumbered memory with stores of useless science? Of all tyrants, bigotry is the most despotic; and a jure divino lettered slave, in a Protestant, free, and enlightened country, is a monster of the first magnitude; which neither fancy could form, nor fear conceive.

We are now arrived at the chapter of migration, which, as it is of little use to the argument, and
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can only serve, as one instance, to shew how much the pensioner has read to little purpose, we shall pass it over with a few slight remarks.

He informs us he has only met with "two modes of migration" in the great compass of his enquiry. That of the ancients, with the Huns and Vandals from the North of Europe, whose inroads upon the Southern regions formed those different states and dominions, from whence the modern colonies have taken possession of North and South America, and the West Indies. He has never heard of a third to the Mogul's country, where the India Company has actually achieved, what "*Stukely* of London" only attempted, "by exalting itself to independent dominion;" having been declared by government, sovereign over its own territories, and the forces of government are employed as auxiliaries only, under its direction and command; which exercises, by charter, the full powers of sovereignty, exempt from the controul of the parent state, and all claims of taxation; forming, by virtue of a charter only, an imperium in imperio, of a more degrading nature to the Crown and Realm, than the provincial governments of America, where the King's Governors preside; which proves demonstrably that Parliament has no right to bind all the colonies of Great Britain in any, much less in all cases; for as the conquests in India have been made by the forces of the Company, and all grants from, and treaties with the Mogul and his Viceroy, have been to, and with the Company only, as a principal,

principal, Government could not, without tyranny, usurp these dominions, or tax the revenue arising from them, in any other way than by customs and imposts raised from the trade to Britain; unless, indeed, her Directors should weakly or wickedly betray her into the hands and service of the Crown, by taking the King's money, officiously obtruded upon her by the Minister, as the price of her independence, at a time when she neither wanted nor sought its protection. There is a great resemblance in this respect, between the situation and affairs of the India Company and the American colonies, by whose industry alone the country has been subdued into fertility; and the conquests of virtuous toil ought to be as sacred as those of valour, and no more subject to the taxation of the parent state. The revenue arising to which, from an encreasing population and commerce, under her absolute controul, would be amply sufficient to indemnify and reward, to all posterity, the expence of her protection, while they stood in need of it. Which is now so far from the case, that they are able both to defend themselves, and yield assistance to the mother-country; and every year will enable them to become more and more useful and beneficial to us, unless by the jealous tyranny and persecutions of a Tory government, they should be driven into a defensive union and independence, which nothing else within the wit, or even the folly of man could have effected.

Independence, in the learned pensioner's idea, is a very barbarous principle; which "from the
gradual

gradual admission of *wiser* laws and gentler manners, perceptibly wasted away." Whereas I should have thought, as an Englishman, that the wisest laws were such as made mankind independant on every power but law. And this has been generally regarded as the peculiar honour and happiness of Englishmen, until the Doctor, adopting a more refined idea from the French, tells us, that under these wiser laws and gentler manners "*every man thinks himself great and happy in proportion to the greatness and power of his governors.*" Happy subjects! and great as happy, of the Grand Turk, the Emperor of China, and the Great Mogul! But I am afraid this high-strained compliment to government, would have been less warmly expressed, had it not been animated by a pension; for although the vanity of a starving Frenchman might exult in his Grand Monarch, it would be difficult to find an hungry Englishman, used to grosser food, whose stomach, as well as understanding, would not execrate the doctrine. If I mistake not a keen satire of the Doctor's, in his hungry days, he had not always this veneration for governors. According to this pleasant doctrine, we cannot help wondering at the extreme folly of Mr. Wilkes, in destroying his own happiness and importance, together with general warrants, and striking a fatal blow at the greatness and felicity of the metropolis, by nullifying a royal proclamation, and defeating and exposing the omnipotence of the Lords and Commons in the god-like exercise of an unlimited privilege. And were not the Americans a set of obstinate people,

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blinded

blinded by fanatical, illiberal prejudices, the supreme right of parliament, first to drench them with tea, and then to tax them for drinking it, would have done their hearts good; and they would instantly have seen and felt how essentially their own dignity and happiness, nay, and their interest too were concerned, in submitting both their purses and their liberty to the supreme legislature. The property of the one, and the title to the other, being in fact mere Gothic claims, which every man under "*wiser laws*" and gentler manners, ought cheerfully to resign to government, "and think himself great and powerful in proportion to the greatness and power of his governors."

And surely it can deserve no better a name than rebellion to urge the "*gentle manners*" of government, to take these trifles from the colonies by force, who, like peevish children, the more they are beaten by the tender parent, hug the baubles the closer. How wilful and obstinate this behaviour is, we cannot but readily own, when the Doctor assures us, that although "*all governments (for the honour and happiness of the world) are ultimately and essentially absolute,*" yet "*an Englishman, in the common course of life and action, feels no restraint.*" And an English colony has very liberal powers of regulating its own manners, and adjusting its own affairs. *But an English individual, may, by the supreme authority, be deprived of liberty, and a colony divested of its powers, for reasons of which that authority is the only judge.*"

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And thus quitting our migrations, we are arrived under the auspices of our learned conductor, at the temple of Despotism, and at the very foot of the grim idol Supremacy, which he has profanely erected on the throne of law and justice. But, if he asserts this authority of any other power except the laws, he is a traitor to his country and the constitution, which knows no such power; and that he does not affirm it of the laws is clear, because he says this unlimited power "enacts laws or repeals them." It must therefore be of the legislative, or the executive authority of government. But has either of these the power to "deprive an Englishman of his liberty, or a colony of its chartered rights without assigning a reason?" Where is the supreme authority of the legislature during the recess, or after the dissolution of a Parliament? Where the authority of the executive power, when it must stoop to ask supplies from the people? Can the former enact a law to render itself perpetual? Can the latter deprive a subject of life, liberty, or property, without a trial by judgment of his Peers? He who says there is any such power in Britain, is both a liar and a slave. Neither God, nor human laws ever gave or exercised such a power; much less can such tyranny exist in this country, where the people themselves, by their representatives, form one essential part of the legislature. There cannot be a greater solecism than the exercise of any despotic power under a popular government; a government where it is as lawful and as safe for the people to rebel, as for the legislature to play the ty-

rant; and indeed one is the natural and just consequence of the other; or this gross and palpable absurdity must follow, that tyranny in a free state is lawful government, and equally binding upon the subject. And it would be as much rebellion, according to this infamous tenet, to resist the bloody decrees of a NERO or CALIGULA, as the mild and just government of a TITUS. To bring the matter nearer home, it would be as much rebellion to resist a Parliament which had sold itself and the nation, and enacted laws subversive of all civil, and sacred rights, as a legislature acting within the bounds of law and justice, with no other view than the public prosperity; for if all powers in free states be not limited by, and accountable to the laws, but to "physical necessity only," such a power may enjoin contradictions as tests of obedience, with equal justice and authority, and have equal reason to punish disobedience, where it is impossible to obey.

To proceed with this shameless rant of despotism; we are told that by this power, wherever it subsists, (where, the Doctor does not choose to say) "all legislation and jurisdiction is animated and maintained; from this all legal rights are emanations, which, whether equitably or not, may be legally recalled. It is not infallible, for it may do wrong; but it is irresistible, for it can be resisted only by rebellion, by an act which makes it questionable what shall be thenceforward the supreme power." From which we learn that the supreme power, the soul of legislation and jurisdiction, exists

exists like the soul of man, *no one can tell where*; that legal rights, which are emanations from this unknown invisible power, may be legally, though not equitably recalled, which is not only a flat contradiction, because that which we possess legally, can not at the same time be legally taken away. But it is also a libel on the laws, since nothing can be legal which is professedly not equitable. According to this slavish doctrine, every injury done to the subject, of whatever magnitude, is justified and absolved by the supremacy of government, which can be resisted only by rebellion. And if that be the case, what was the Revolution? What are the reigning family? What is Doctor Johnson? It may be his present task and interest to exclaim against rebellion; to give that opprobrious name to self-defence, and constitutional opposition to tyranny; but so long as he continues the pensioner of a Crown, gained by such a rebellion, it is hard to say whether his impudence or hypocrisy be the greater.

He proceeds next to the definition of a colony, and a charter, which he aims, like a tyrant, to stretch upon the bed of Toryism; but he tortures them into confession, and they betray what they were meant to disguise. "An English colony, says he, is a number of persons to whom the King grants a charter, permitting them to settle in some distant country, and enabling them to constitute a corporation—as a corporation they make laws for themselves, but as a corporation subsisting by a grant from higher authority,

rity, to the controul of that authority they continue subject." This is a distinction without a difference, since if "they make laws for themselves as a corporation," it can only be by virtue of that authority, which the next sentence tells us has a right to controul and make laws for them, which is neither more nor less than this gross contradiction, that as a corporation they make laws for themselves, and as a corporation, they do *not* make laws for themselves, but that somebody else has a right to make laws for them; for, by the very definition, a corporation has the same meaning in both parts of the sentence, and therefore the superior authority, which by charter enabled them to make laws for themselves, could not at the same time *disable* them, by making laws for them; and indeed the authority of the Crown from whence they received their charters, has not the power of legislation, and therefore can have no controul upon the colonies as legislative bodies.

But, it seems, "charters are only grants to a part of the community, for the benefit of the whole, and therefore liable in their nature to change or revocation, because every act of government aims at public good." This might be good reasoning, if governments were always uncorrupt and infallible; but we should have every reason to reproach both the wisdom and justice of a parent state, which could thus rob and destroy its political offspring. It is a just maxim, perversely and wickedly applied, that "general prosperity must always be pre-

preferred to particular interest." And does Doctor Johnson really believe that "every act of the present government, aims at public good? Have the colonies experienced no acts of oppression? Have they nothing to fear in future? Have they no rights as Englishmen to defend, nor any right or power of defence, that an implicit obedience is required to the mother country? Does the learned advocate of power imagine there is such a charm in his rhetoric, as to deprive America of her senses with her chartered rights? Will he make mankind believe that government aimed at public good, when it established Popery and French laws through extended Canada? Did our pious Bench of Bishops aim at the public good, when they concurred in that impious bill? Or could they deem it a matter of indifference whether liberal christianity or persecuting idolatry, truth or error, be established and propagated? Have they so learned Christ? Have they so studied magna charta? If this profane sacrifice has been made on Protestant altars, by episcopal hands, what security have we that the same government will not establish the *less barbarian idolatry of the Five Nations*, through the rest of christian America? That the Bench of Bishops will not concur and bless the act, and Dr. Johnson defend and justify it, as an act of the supreme power, which it would be rebellion to resist? A nation's resistance to tyranny, under the fallacious name of government, would not fail of his keenest reprobation; but a junto of unprincipled robbers, murderers, and traitors, who steal into power, by stealing public property,

property, may trample mankind, God's image, to dust; may both rebel and blaspheme against the God of truth, without a censure from the lips or the pen of prostitution.

What the writer has advanced with regard to charters, more artfully than erroneously, may with greater truth and propriety be applied to the abused powers of government in general. "It is a grant or delegation of certain powers to a part of the community, for the benefit of the whole; and is therefore liable by its nature to change, or to revocation." Every act of government *should* aim at public good. A government therefore, which experience shews on the contrary to be detrimental to the nation, is to be resisted, and even annihilated; because "general prosperity must always be preferred to particular interest. If government be used to evil purposes it is forfeited, as the weapon is taken away which is injuriously employed. But the Doctor, who has enlisted, or rather pressed these liberal Whig principles into the Tory service, does not choose to employ them under the supreme government. *That* although a charter or a delegation from the community is not to be treated so cavalierly; the "general prosperity must not, in *that* case, be preferred to particular interest;" and be its purposes ever so evil, and detrimental to a nation, its weapons of tyranny must not be taken away, but it must be stronger armed to enforce its authority. Such are the paradoxes of half thinking men, blinded by prejudice or interest!

But

But it is not sufficient to puzzle the unlearned reader with complex axioms, and metaphysical deductions, "confusion must be worse confounded" by ill applied, fantastical metaphor. Thus we are told, in the jargon of the schools, "A colony is to the mother country as a member to the body, deriving its action, and its strength from the *general principle of vitality*; that the body may subsist without the limbs, but the limbs must perish if parted from the body;" whereas, in the vulgar conception of the matter, we had always thought the limbs procured food to support the body, and the vital principle might be destroyed by a wound in the arm as well as the breast. That the political limb does not always perish when parted from its body, but sometimes even thrives and flourishes, let the States of Holland witness, which violently rent themselves from the Spanish monarchy; nay, there are many limbs of great empires now flourishing and powerful, whose parent states have long since expired and been forgotten. And this will infallibly be the case with America and England.

Having thus degraded the colonies to mere limbs and excrescences of the political body, in order to humble, and teach them submission, they are, from a different motive, raised in the following paragraph to "constituent parts of the British empire, intitled to all the rights of Englishmen, governed by English laws, entitled to English dignities, regulated by English counsels, and protected by English arms," not out of compliment

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or affection, but merely to fix upon them as a consequence, "subjection to English government, and English taxation;" but unfortunately, neither axiom, metaphor, nor compliment will serve the turn; they are neither to be outwitted, nor cajoled; nor does it follow by any art that sophistry can invent, that they are subject to English government or taxation, any *otherwise* than as Englishmen are subject, by representation, and a participation of government, neither of which they can enjoy. They are truly subject to our government, while they continue so to their charters; which are the mode established, upon the faith of the crown, and kingdom for their original and perpetual governments. The immediate superintendence, and actual grant of his property to government, is the birth-right of every British subject; a right which cannot be assumed without, much less *against* his consent; for if government had the power of taxing America, and applying the revenue unquestioned and uncontrouled, as is traitorously asserted, it would instantly command the means of absolute power, and political suicide would become both the duty, and the fate of Britain.

It is a very strange conclusion which the Doctor draws, when he tells us "that all personal immunities and securities, by which the condition of the subject has been from time to time improved, have been extended to the colonies," therefore the Parliament of England has a right to deprive them of those personal immunities and securities, "by
binding

binding them with statutes in all cases whatsoever, and laying on them any tax or impost for the purpose of raising a revenue. A right to bind subjects in all cases whatsoever, is a high and imperious strain for a government limited by law, and bound itself by statutes; he might as well have added, *by any kind of statutes whatsoever.* For men who may be statute-bound in all cases whatsoever, may be bound in any manner whatsoever. And in that state of unlimited bondage, where is the difference to the subject, whether it be effected by royal edict, or act of parliament? A nation, or a colony that may be taxed without and *against* its own consent, at the sole pleasure of government, has no property that can be fairly called so; and having no property but what another may take "without question or account," it is in the lowest state of vassalage. For the loss of property is not only the loss of independance, the first blessing of society to subjects, but it is the acquisition of power to government, which will not suffer liberty to survive it.

But such is the Pensioner's *disinterested* principle, he cannot conceive why so much "reverence should be paid to money;" and he condescends so low as to borrow a pitiful quibble from a pettifogger in law and politicks. "*He that denies the English parliament the right of taxation, denies it likewise the right of making any other laws, civil, or criminal.*" This hardly deserves an answer to expose it to ignorance and simplicity. The parliament is not denied the right of taxation within

the limits of its jurisdiction; which was never, till the present era of despotism, extended to the colonies. This right was necessarily precluded by the exercise of the royal jurisdiction in the grant of charters; which, in fact, were given on purpose to exempt them from the general form of government, which could not tally with their circumstances and situation. They cannot therefore serve two masters. If they are subject to the dominion of the Crown, they are not under the power of parliament, and therefore have no occasion for foreign statutes, either civil or criminal, when their own internal governments can better answer the purposes of legislation. For if they are at all subject to the mother-country, in matters of internal government, they are all subject alike, as their relation is the same; yet this their different charters, and modes of government, contradict, and plainly prove, that nothing was intended to be paramount to their respective legislatures, but the prerogative of the Crown, as far as that can be lawfully exercised; and the Crown has no power of taxation. Having therefore chosen our mode of governing America by charters, we have no right to supersede their long-established governments, by bringing them under the English legislature.

But it is argued, "that they have always admitted statutes of some kinds; and the reception of any law draws after it by a chain which cannot be broken, the unwelcome necessity of submitting to taxation." To this it may be replied, the Ame-

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ricans do not refuse being taxed in the same manner as Englishmen are; who, being that constituent part of government which presides over property, and passes all grants to the Crown, do literally and truly *tax* themselves; and that is all the colonies contend for, to enjoy the great privilege of Englishmen, to tax themselves, which every native subject does, as long as the House of Commons are uncorrupt and uninfluenced. Whenever they shall become dependent, and betray the rights of their constituents, and the community, the constitution and government will be subverted, and the people must defend both their freedom and property in the best manner they are able. But the Doctor, who is fond of chains, would bind America to a taxation, which differs as essentially from that of the English government, as asking a boon and taking it by force.

To evade this momentous distinction betwixt voluntary and compulsive taxation, giving our money under a power of refusal, and standing to deliver at the command of ruffian invaders, he has taken much pains to lessen and ridicule the popular part of our government, and the rights of the subject. "It is a position, says he, of mighty sound *only*, that a free man is governed by himself, or by laws to which he has consented. The business of the publick must be done by delegation; and those who are not electors stand idle and helpless spectators of the common-weal, *wholly unconcerned with the government of themselves.*"

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This is not true. Since the whole community have not only an influence upon, but are represented by the elective body as much as that is represented by the persons chosen. Every native-born subject is, therefore, directly, or in the second instance, represented in parliament; whereas our American brethren, having no qualification in England, nor any connection with, or political relation to those who have, can in no sense, consistently with this constitution, be subject to parliamentary jurisdiction, or taxation.

The enemy of the people, as he cannot deny, would depreciate popular right. "Of electors, the hap is but little better; they are often far from unanimity in their choice; and where the numbers approach to equality, almost half must be governed not only without, but against their choice." This is extreme nonsense, or glaring misrepresentation. The electors are not governed against their choice, although they lose their election; since it is their free choice, and indeed essential to their freedom and choice, that the majority should carry the day.

To degrade the subject still lower, we are told, contrary to all history and experience, that in the most favourite residence of liberty, the consent of individuals to institutions of government is merely passive. As all are born the subjects of some state or other, we may be said to have been all consenting to some system of government; other consent than this, the condition of civil life does not allow;

low; it is the unmeaning clamour of the pedants of policy, the delirious dream of republican fanaticism."

This is beneath an Englishman; equally false and slavish. Every subject of this state, however low his condition, has it in his power to give some kind of check and controul both to the institutions and the administration of government. By his vote, if he has any; if not, by the press; by freedom of speech; by interest and connections; but above all, by an appeal to the laws against every institution, and every act of government which may affect either his property or personal freedom. Therefore the assertion is false, that every man has not some mode or other of *actually consenting* to, or disapproving of the institutions and measures of government. The King himself may be compelled by the laws to do his subjects justice; and the most despotic minister, who can suspend or evade the force of the laws, may be made to feel the just resentment of personal injury, by the hand of personal vengeance. What was it that gained the great charter of England from a tyrant? Was it *passive consent* to ancient institutions, and *passive obedience* to government? And when a private individual, the immortal HAMPDEN, dared to stand forth against sovereign power, the champion of the laws and his country, what became of that passive tameness, and *implicit consent*, which we are told "is all that the condition of civil life allows?" A single subject, with the laws on his side, refused an arbitrary tax from the Crown; and the tyrant, in

in consequence of this heroic fortitude, lost both his crown and his head. Alas! to what purpose, unless the kingdom could produce Hampdens as fast as tyrants? So far has this just example lost its influence, that we now see the ministers of another Crown gained by that resistance, carrying war and desolation into America, for refusing a right of taxation more dishonest and insidious, but not less arbitrary and illegal; by an infamous juggle with an *instrumental* parliament, prosecuting the same plans of despotism through all its dominions, and sheltering themselves under the mock supremacy of the legislature. A fraud of so wicked and dastardly a nature, that even STUARTS would have blushed at. They wished not to owe the lustre of their Crowns to the infamy of their Parliaments. And although from prejudices of education, they aimed at absolute dominion, it was from a *principle* at least, though erroneous, of a divine right, not the utter and avowed destruction of all principle, by seducing the minds and debauching the morals of the people. The Lord's anointed from Scotland, and the CREATURES of the PEOPLE from Germany, were upon a very different footing. They deemed the absolute prerogative of kings a sacred inheritance, and therefore attempted openly and royally to seize it as a right. They did not, like little pillaging tyrants, bribe a parliamentary accomplice to steal the precious diadem from a thief and put it in their pockets.

The

The declamation which follows upon some quotations from the letter of the Congress, contains such pleasant sarcasm, and polished irony, as might reasonably be expected from Doctor Johnson. The Americans are not the fools he would make them, to speak as "naked sons of nature," or "boast of original rights," while they allow themselves colonies of Great Britain. They boast of chartered rights only, which confirmed to them those of nature and birth; they never complained of being governed by their charters, which under the faith of government were given as their law, but they justly complain of the violation of their charters, by the attempt to bring them under the jurisdiction of Parliament, which is the pensioned register, and echo of the Crown. They recognize sufficiently upon all occasions the dominion of the Crown, when it appears and acts openly; they do not wish to feel its thunderbolts from that black cloud of Parliament, from whence the mischiefs done them will be attributed to the political Jove, the supreme power, although bred from the corrupt and noxious vapours of the earth.

The Doctor has laboured this whole argument into dullness, by an endless repetition and tautology. It is the business of error to confound, not to convince. He has called the Americans "naked sons of nature," and he would fain treat them as naturals. "Their ancestors, if subjects, acknowledged a sovereign; if they had a right to English privileges, they were accountable to English laws, and had ceded to the King and Parliament, the

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power of disposing, *without their consent, of their lives, liberties and properties.* It is therefore required of them to prove, that the Parliament ever ceded to them a dispensation from that obedience, which they owe as natural born subjects," &c. The writer has before asserted that the colonies "owe their political existence to their charters; that the solemnities of legislation, the administration of justice, the *security of property*, are all bestowed upon them by the royal grant." What dispensation, therefore, could they want for disobedience to Parliament, from whom they neither derived their powers as colonies, nor their privileges as subjects? And if their *property* was secured to them by a constitutional act of the Crown, by what right can the Parliament tax it, since that which is in another's power can not be *secure*? But so exalted are his sentiments of Parliament, his fellow servant of the Crown, that he says "our ancestors have ceded to them the power, if not the right, of disposing, *without our consent, of our lives, liberties, and properties.*" To this it can only be said, it is well for him that his property, like the Americans, is not only held, but *derived* from the Crown. He wishes for no *liberty*, but to make others slaves; and as to *his life*, it might be no loss to the public, nor any unjust punishment, were it duly *disposed* of by Parliament or by Jack Ketch, as a reward for so slavish, and traitorous a doctrine.

It is the office of a thief-taker to follow fraud and fallacy through all their dark haunts and crooked paths, to bring them to justice; and to prevent

prevent the escape of an old offender, the pursuit must be keenly and closely urged. The Doctor proceeds to observe—"that they who form a settlement by a lawful charter, having committed no crime, forfeit no privileges, will be readily confessed; but what they do not forfeit by any judicial sentence, they may lose by natural effects. As man can be but in one place at once, he can not have the advantage of a multiplied residence. He that will enjoy the brightness of the sun-shine, must quit the coolness of the shade. He who goes voluntarily to America, can not complain of losing what he leaves in Europe. He is still *concerned* in the *government* of *himself*, and is represented, according to his choice, in the general representation."

This facetious argument may be fully retorted, and it is perhaps the best way of answering it. If government chose to rule the colonies by charters, it can not at the same time do it by Parliament. If it would encourage subjects to migrate to encrease the trade and revenue of the mother-country, it can not complain, that they who are busy in cultivating the lands of America, do not pay the land-tax or window-lights in England. If they are employed for the general good in importing our manufactures, and exporting such commodities as both we and our plantations want, they can neither be mounting guard at St. James's, nor rigging the King's ships at Portsmouth. Government has therefore, in like manner, not nullified its right, by any formal surrender, but it has

lost the power of taxation by physical necessity, by which it is allowed the omnipotence of the supreme power may be bound. By its own choice, in a long succession of government, it has given up taxation for other greater advantages, accruing from the commerce and growing population of America. It has preferred a charter to a parliamentary authority. It has chosen what was thought most beneficial to the state, and nation, the increase of trade, dominion, and revenue; and it is neither justice, law, nor policy, that America, to serve the purposes of government, should be considered at one and the same time, as being on both sides of the Atlantic, under the authority of the Crown and charter laws in one quarter of the globe, and the supreme power of Parliament in the other.

Otherwise, I do not see why the West-India islands, with our vast territory in India, and all our factories in every part of the world, should not be equally liable to taxation, from which they are exempt, partly because out of the realm and jurisdiction of our Parliaments; but principally, because they are taxed in other forms of customs, &c. and are supposed to do their duty to the state as good subjects, by other modes of contribution, although not taxed, nor taxable by Parliament. For, as a man can not enjoy the benefits and satisfactions of two remote situations at the same time, he ought not to be subject to the inconveniences of them. It would be very hard for any one to be punishable for not mending the highways betwixt Brentford and

Hyde Park Corner, who was never out of the province of New England, on to pay his share towards the pensions of Johnson and Shebbeare, who is so far from reaping advantage from their talents, that they deserve to be tarred and feathered in every town in America, or dangle in effigy from Liberty Tree.

The Doctor has laboured hard to evade, or ridicule the forcible reasoning of the Congress. He feels the efforts vain, and is disconcerted and angry. "Men, says he, are wrong for want of sense; but they are wrong by halves for want of spirit. Since the Americans have discovered that they can make a Parliament, whence comes it that they do not think themselves equally entitled to make a King? If they are subjects, whose government is constituted by a charter, they can form no body of independent legislature. If their rights are inherent and underived, they may, by their own suffrages, encircle with a diadem the brows of Mr. *Cushing*." We have here the exact definition of an English Tory. He is wrong as a Tory for want of common sense or honesty; he is wrong by halves, for want of spirit to own himself what he is, a *Jacobite*. The Americans do not want to make a Parliament; it is ready made for them by their charters; and upon the Doctor's own principle, they will be empowered to make a King also, as soon as they are able, or find it necessary; although from the present samples in Great Britain, and their treatment by them, it is not likely they will wish to make by

either soon. If they are so inclined, why have they not the same right, under the same circumstances, with the mother-country? and indeed with more reason and justice, for before we made a new race of kings in England, we took arms against the Lord's anointed. In America, the Sovereign has first drawn the sword against his subjects, and proclaimed them rebels; and yet Doctor Johnson, who reprobates the idea of making either Parliament or King in America, is the shameless pensioner of a King, whose ancestors were made by rebellion in England. It were to be wished, that instead of so much pomp and magnificence, he would substitute a little precision; he would not talk of "*forming* a body of independent legislature." Nothing that is *formed* can be independent. ° The British legislature is not so. He talks of rights derived from man to man, as if king's were Gods, whereas they are the creatures of creatures. Let the slave know, that the rights of all men are inherent. Civil rights are, or ought to be, a confirmation of natural rights, as far as the free subordination of society can admit. He has maintained, both in theory and *practice*, that right follows power; that the supreme power is supreme right, and can not be resisted without the greatest of all civil crimes. Whoever therefore acquires, and *however*, the supreme power, becomes a very solemn legislator, and the revolt of America from the parent state, if this writer be true to his principle, will be as lawful and justifiable as the Revolution. Successful

ful rebellion becomes lawful government; and therefore it is clear that success is right, and power government, both in a Tory cabinet and on the highway. They both levy contributions or taxes by the same means, and upon the same principle; and unless with the consent of the people, with equal justice.

He next combats the declaration of the Congress, "that his Majesty's colonies are entitled to all the privileges and immunities granted and confirmed to them by royal charters, or secured to them by their codes of provincial laws." He denies that "a province can confer provincial privileges on itself; and says it is a conceit of the other hemisphere, that men have a right to all which they have given to themselves."

Surely he forgets, or does not choose to remember, that the King is present, by his deputies the Governors, in their assemblies, and that no acts can pass in favour of the colonies, nor any new privileges be conferred, without his concurrence; which is an effectual security to his own prerogative, and the honour and interest of the nation, and is realizing, as far as possible, the actual existence of our own Parliament in America, by the constant residence of the representatives of its chief estate, the Crown, with the same negative controul upon the legislatures of the provinces; so that in fact every new grant, or privilege derived to them from their own laws, has the same royal sanction and authority that gave them their charters;

ters; and indeed, if charter powers to enact laws, can confer no privileges on these corporate bodies, to what purpose were they asked or granted? They can not be said to have given themselves, what the King has granted them by his Governors.

The comparison between the internal legislature of a colony, and the vestry of a parish, is a very poor, parish conceit, which the honest constable would be ashamed of, and deserves the correction of the beadle. A vestry is not a government, and has no powers but from the laws existing; and its oaths upon the inhabitants may be appealed from, and litigated in the courts of law; whereas the legislature of a province, with the King's Governor at its head, has all the forms and efficient powers of a parliament, and is a government in the last resort, both on behalf of the Crown and the province; from whence no appeal from taxation, or any other lawful act, can be made to a higher authority.

It is in vain that a clause in the charter of Pennsylvania is produced to support the parliamentary right of taxation, which, we are told, "is implied in the nature of subodinate government, and was omitted in the other charters for that reason, as unnecessary."

This is a lame plea indeed! little better than giving up the cause. If it was implied in all but one, as so self-evident a principle, why was it expressed in any one? If it is urged as a claim or a foun-

a foundation for the right of taxation, it can only operate as such where it was expressed. If the right was too self-evident to need such a ground, why is it urged at all? It is an insult to government, to suppose that a right of such prime magnitude, could be left, in so solemn a deed as these charters, to implication; and continue unexplained, unasserted, from age to age. It is a demonstration that no such right was even dreamt of when the charters were given; but that it was the equitable purpose of government, that they who were subject to the colony laws, should be subject only to colony taxation, from this unalterable principle of the constitution, that they could no where else be taxed, as Englishmen, by their own consent. And this was not an "immunity granted," as is insinuated, falsely, but an inherent right, which, as English subjects, they could not be deprived of, and therefore it could not be "revocable by the legislature;" and much less could a revocation, either of lawful immunities, or inherent, unalienable rights, be for the public good; which bring a vague and undefinable thing, depending much upon men's different opinions, can be made no rule of law or government. The rights which were sacred under a government founded on the principles of the Revolution, will be looked upon with a jealous and an evil eye by a Tory administration, ever hostile to all rights of the subject. Which, when it does a private injury that no tool of power can palliate by sophistry, will never want a salvo in the "public good."

It is worth observing, in how fair and candid a manner this writer conducts his argument. When the charter of Virginia, a sort of implied right of taxation, and no more, is mentioned, this is adduced as a reason for its being implied in all the rest. When the right is expressly excepted in the charter of Maryland, it is no argument for taking the same exceptions for granted in the other charters, in the like case; but it is to be considered as one of those grants in which the king was deceived, to be annulled, as mischievous to the public, and infringing on the present system of dominion, so perfectly irreconcilable with that which granted it.

But "Doctor Tucker has shewn that this charter promises no exemption from parliamentary taxes." Doctor Tucker has shewn a great deal more. He has shewn that he thinks it not impossible for an *ecclesiastick* who gained a deanery by his knowledge of *trade*, to arrive at a mitre by his skill or *address* in *politics*. And although Davenant failed an hundred years ago "to prove the *present* Irish a colony," the present colony government has abundantly proved itself, by its gross blunders, to be *Irish*.

By what follows, the learned Pensioner seems to have caught the blundering infection. "The necessary connection of representatives with taxes, seems to have sunk deep into many of those minds that admit sounds without their meaning;" that is, in other words, to have sunk deep into *shallow* minds; which, it must be granted, is a no less profound remark!

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I can not say there is much depth or much truth in the succeeding observation. "Our nation is represented in Parliament by an assembly as numerous as can well consist with order and dispatch." That we are represented by an assembly much more numerous than honest, I believe no one can doubt; and I should imagine nothing could obstruct either their order or dispatch, when it is notorious that they are marshalled by the Minister, and no troops in Europe perform their manœuvres better, or are more obedient to command. I would not insinuate the reason, but I fear the malignity of factious spirits has already suggested, that no other troops are so well paid.

Yet we are told, "this representation has the whole effect expected or desired; that of spreading so wide the care of general interest, and the participation of public counsels, that the interest or corruption of particular men, can seldom operate with much injury to the public;" which is as much as to say, that an honest or a corrupt parliament is the same thing; and that it is of no consequence to the public, whether the members be men of principle or men of wax, who move and act by the impulse of government.

And moreover we are informed, "many populous and opulent towns are so much of the same opinion, that they neither enjoy nor desire particular representatives: They are included in the general scheme of public administration, and can not suffer but with the rest of the empire." The

writer is no friend to parliaments; he never loses an opportunity to hint what absurd and useless incumbrances they are to government. It is no doubt a sufficient consolation to great cities, and corporate towns, unrepresented, or under-represented, that their freedom and interest are in the hands of venal boroughs, those nests of beggars and traitors; and that they can not suffer but in the general ruin. Whereas a more equal and just representation, by men of property and principle, might have saved both themselves and the public, from that impending destruction, which beggarly constituents, dishonest representatives, and a villainous administration at their head, can alone occasion.

Under such a legislature, that has long "wanton'd with property," and taught the nation by every mode of luxury to sport with it too; which has made equally free with the sinking fund and civil list, for the secret services of a junto of conspirators, it is impossible that any property, either of England or America, can be secure. But if it be true, says the Pensioner, that *their* wealth is *our* wealth, the parliament has the same interest in attending to them, as to any other part of the nation." Whether their wealth is or shall be our wealth, is the grand point in dispute; parliament, which will admit the colonies to no participation of counsels, have strong bowel-hankerings to participate in their wealth. They will do them the honour of a partnership in their purses, but will treat them as inferiors and dependents in all other respects.

respects. It is their interest to increase the revenue in any way or manner that will best save their own lands, and enable the minister to raise the wages of corruption; and when this is the case, they will "share only in the good, and not the evil which their counsels produce," and their share will seldom be remote, or in arrears, but generally anticipated. However government may pay in other respects, its *parliaments*, spies, and executioners, both civil and military, must be punctually paid. And when the legislature is corrupted by government to aid and sanctify the general system of rapine, slaughter, and slavery, we must necessarily "be as secure against intentional depravations of government as human wisdom can make us;" and upon this security, if they will take his word, Dr. Johnson declares, "the Americans may venture to rely." Since, as he observes, "men commonly provident will tax them so, were it for their own sakes only, as that they may not lose one way what they gain another;" that is, they will milk the cow as long as her constitution will admit; and if they do not drain her dry it will be owing to self-interest, not to humanity or justice. But if the cow does not use her horns and heels to defend her udders, she deserves to lose her strength and weight by the draining hand of taxation upon her blood and vitals.

It is a ridiculous piece of gasconade to talk of acts of parliament binding either Ireland or America, if they can no otherwise be bound. These parchment

bonds

48
[Confidence does not
parchment ~~bindings~~ are as easily broken asunder,
as the paper chain of deductions before us.]
But to do him justice, his fancy is powerful, al-
though his argument be weak. To serve a turn,
he can imagine the Americans not to be *at home*
in America, and they had originally, says he, and
now have their choice of a vote *at home*, or ridges
at a distance. It must be said, however, in his
excuse, he was but just returned *home* himself from
a short trip to *Ireland*, and therefore he might be
indulged in the small mistake of calling that a
man's home where he was neither born nor bred,
and has neither house nor lands, family nor con-
nections. And although he has the misfortune
with all these to be at home in a *strange place*, ac-
cording to the Doctor, there was no necessity for
dividing his *vote* and his *niches*, because the former
is at home though the latter be at a distance, and
yet, without a bull, they are both in the same
places.
The tough old member whom the athletic Ben-
sioner attacks, has fairly driven him into a corner,
when he asserts, that "we have either no right,
or the sole right of taxing the colonies." This is
a home thrust which all his dexterity cannot parry.
His wit is put to such hard shifts as even to come
upon the parish for support; but his old allusion
to *the parish cess* will avail him little, until he has
proved the colonies only parishes of Great Britain,
and their governments, with the King's represen-
tative at the head of each, mere parish vestries.
But

But although fairly baffled, confidence does not forsake him with truth and reason. "We answer," says he, with very little hesitation, that for the general use of the empire, we have the sole right of taxing them." I had been always used to form very respectful notions of *public good* and *general use*, till by falling into Tory hands, their principles have been debauched, and they are become such notorious pickpockets, that they are not content with your property freely and generously granted, unless they can have the satisfaction of knocking you down and taking it from you. The free contributions of the colonies cannot avail them, "for they are not paid but given; they are not a tax or tribute, but a present;" that is to say, the saucy varlets will not be pressed into the service, but have the impudence to be volunteers.

Having escaped as well as he could from the *veteran member*, through the parish vestry, an old sanctuary for the worst offenders, he seems a little crest fallen; and as persons half-frightened are apt to do, asks a mighty silly question, "if they are to tax themselves, what power is to remain in the supreme legislature?" I answer as simply, the same power it has at home where the people have always taxed themselves.

Another modest question follows, "may the British parliament, if it cannot tax them, tell them how much they shall tax themselves?" I will answer this when the ingenious querist, or anybody else, can tell them how much they will have left?

Would

Would he admire the moderation or the impudence of the highwayman, who should say to him, Sir, I scorn to rob you, but I insist upon having the sum you shall give; and yet this advocate of tyranny dares to say, in the face of Englishmen, "if they are at liberty to grant or deny this unlimited claim, which cuts up the very root of property and freedom, they are no longer subjects." Dr. Johnson will be able to distinguish between a subject and a slave, when he can feel the difference in his own breast. In his idea, blush! learning, blush! the man is a rebel who withholds his last shilling from government, although government should be *tyrannical, fraudulent, treacherous, and bloody*.

But to shew his impartiality, and pay a compliment equally cordial to Scotland and America, he will allow the latter a representation of half as many members as that ancient kingdom, which pays five and forty thousand pounds to government, although not above two or three millions of money have centered there since the commencement of the last war from our Indian conquests, and other plunder abroad and at home; whereas, if both were represented according to their real importance and utility to this country, America should send two hundred, and Scotland twenty.

"Whither, says the pationed Pomposo, will this necessity of representation drive us? Is every petty settlement to be out of the reach of government till it has sent a senator to parliament? What

at last is the difference between him that is taxed by compulsion without representation, and him that is represented by compulsion in order to be taxed?" From which very curious passage we learn that the colonies of America, able to enrich or impoverish, to defend or resist the mother-country, are "pretty settlements;" that the notion of representation is frivolous and impertinent; that a venal writer in support of tyranny, is, in the scale of general utility, of infinitely more consequence than an American planter or merchant, or a whole colony of such petty beings; and that it is exactly the same thing, "to be taxed by compulsion without representation, or represented by the man who was not our choice;" as if freedom or property depended upon the success of a particular candidate, instead of the suffrages of the majority, and to be represented by free election, were the same thing as to be represented by compulsion. One would wish to be candid even to impostors. But this is certainly a laboured and a studied fallacy, seeking concealment in a jumble of words. It is neither more nor less than if he had said, where is the difference between him that is taxed by compulsion without representation, and him that is taxed by an honest man, who although not his particular choice, is yet his legal and worthy representative. In all elections there may be opposition, but the right of choosing is not affected by the choice. They are on either supposition represented, and it may happen better, represented by the man whom they opposed, than by him they would have chosen. Whereas the fallacy wickedly insinuates, that go-

vernment is not to be confined within parliamentary limits; that parliaments are obstructions to government, and no security to the freedom or property of the subject.

The Americans, we are told, are so sensible of this, that they do not solicit representation. They say, and say willingly, that they cannot be represented because their inference is, that they cannot be taxed. They are too remote to share the general government, and therefore claim the privilege of governing themselves. The very reverse of this is the truth. They say they cannot be taxed, because they cannot be represented; and it is not less shamefully false to assert, they either do, or wish to govern themselves, since the colony government is a part of the general government established here, and they can no more be said to govern themselves, while the officers of the Crown preside over their legislature, their judicature, and their commerce, than the people of England; which proves the sarcasm as malicious as it is unjust.

The accusation which follows, recoils upon the shameless railer, and refutes itself. He tells us, the whole continent of America, from New England to South Carolina, has been infatuated by principles, "wild, indefinite, and obscure, to form a general combination against the mother-country, and spread the madness of independence from colony to colony." It is a very singular phenomenon for madness to be so uniform, consistent and

perfe-

persevering. And for a vast continent, broken into distinct governments and opposite interests, to become at once proselytes and devoted martyrs to principles wild and obscure, for the sole pleasure of overturning all order and government, is an assertion too extravagant for folly to credit; especially of a people religious, sober, temperate, and wise. It is a phrenzy which all the planets in the most malign opposition could not have effected. It proceeded neither from the influence of the congress, nor the influence of the stars. But a wiser man than Dr. Johnson has better accounted for it in a few words, when he says, "*oppression will make a wise man mad.*" And in such circumstances, of general oppression, "to be quiet would be disaffection to their country; to be loyal to a tyrant would be treason to the dignity, and all the rights of humanity. But the passive slave is neither to be roused by the calls of honour, the voice of freedom, nor the goads of oppression."

The congress of Philadelphia, an assembly of demi-gods in comparison with some others nearer home, was not "convened by its own authority;" it was convened by the first law necessity, and self-preservation, and had therefore the sanction of Heaven itself. It neither meditated resistance to the laws, nor authority of the parent state, but the foul abuse of both, by perjured tyrants and traitors. And yet the Tory oracle pronounces, "they are therefore no longer subjects since they refuse the laws of their sovereign, and in defence of that refusal are making open preparations of

war." They never professed subjection to tyrants; their laws were given with their charters; and they have no sovereign who has the power of making laws, but only approving or disapproving of such as they shall make themselves. Loyalty means only obedience according to law, and presupposes protection. If they only are good subjects who submit to every command of the sovereign, however arbitrary and unjust, it is to be hoped, for the honour of human nature, that there are few such subjects in this country, or any other.

Therefore the charge which is brought against the colonies for pursuing such measures as self-defence dictates against tyranny, is extremely weak and childish. A rebellion without resistance, would be as absurd as without a cause. If subjects have a right of self-defence, if indeed they have *any rights at all*, they are entitled to take arms, and form alliances to defend them, when unjustly invaded by any power whatever, and more especially if invaded by that power which was delegated for the sole purpose of protecting them.

And although the colonies should have no design to proclaim themselves "free states," yet, so long as they can raise superior armies, it is their own fault if they become passive slaves. Much quibble and fallacy have been employed to expose their conduct in their address to the Canadians. A British parliament might establish a code of French laws to be the law of Englishmen, as well of a conquered province; and the Bench of Bishops might

might erect the host or the inquisition, and the ministerial writers applaud the policy of the one, and the piety of the other. But if the congress in defence of the constituent colonies, adopt the statecraft or priestcraft of government, by an address to the generosity or the interest of Frenchmen, it is hypocrisy or sedition. They cannot pass a *general censure* on the sanguinary tenets of popery, at the same time that they pay a conciliatory compliment to the *liberal sentiments* of the French nation, without severe reflections upon their treachery and double dealing. The Canadians have been indulged with privileges injurious to the Protestants, not only of that settlement, but of all America, with the hope that bigotry might be made the best engine of despotism. The colonies were therefore infinitely in the right to counteract this insidious, rascally plot; in which religion and justice, the honour of God and their country, were equally prostituted and sacrificed to the idol power.

Thus circumvented, betrayed, ensnared by government, and surrounded with enemies on every side, can we blame them for every effort in defence of those rights and immunities which they enjoy by charter and by compact? Their opponent says indeed, that the solemn compacts which they talk of, "were no more than a promise from James and Charles the First, of seven years exemption from taxes to the settlers in Massachusetts Bay; from whence he infers with Mr. Mauduit, that

that after the expiration of that stipulated term, they were liable to taxation." To this it may be briefly answered, that this promise could not relate to *parliamentary*, but only *provincial taxation*, the Crown having no right to extend its jurisdiction over claims of Parliament; which clearly proves, that this exemption could only mean a temporary relaxation of colony taxes, under the controul of the King's governors, not of parliamentary claims, which did not exist under the Stuarts, but were reserved for the harpies of administration under George the Third; who, after taxing them at home by the Crown, for the support of their own internal governments, would retax them by Parliament to raise a revenue for the Crown; a revenue which must infallibly and speedily impoverish and subjugate first America, and then Great Britain. If parliamentary taxation had been implied by this exemption of James and Charles, (although it would be difficult to say why it was not expressed) we may ask, how it comes to pass that they were actually never taxed to this hour by Parliament? Does government ever forgoe its claims upon the subject? Or leave them to implication or deduction? And if such claims should be suffered to lie dormant for any length of time, are they not forfeited by governments as much as by individuals? Will full-grown, powerful and opulent colonies patiently submit to a tyrannical imposition and robbery, which was never pretended or practised upon them in their infant state? The truth is, taxation never became a claim, till corruption made it a want,

and

and it is now the claim of a sturdy beggar, or rather, of a lawless robber.

The insult which follows in some succeeding paragraphs is beneath the *correction* of the pen, and might warrant a different chastisement from persons thus insulted in their distress. "When they apply to our compassion, by telling us that they are to be carried from their own country, to be tried for certain offences, we are not so ready to pity them, as to advise them not to offend. *While they are innocent they are safe.*" To this cruel and wanton mockery of the innocent and the injured, it may be truly replied, that the man who can not feel the indignity, the tyranny and oppression of such a law, is unworthy the name of an Englishman, and equally qualified for the poinard or the pen. Where tyrants govern and slaves defend them, innocence is guilt, and virtue rebellion; murderers are meritorious, and traitors are honourable men.

Can any thing be more false and flagitious than the insinuation which follows, that the Boston Port Bill was the *effect* of the provincial associations, instead of being the odious and the infamous *cause*? His memory is as treacherous in this remark, as his language is barbarous in the next. "If frauds in the imposts of Boston are tried by commission without a jury, they are tried here in the same mode; and why should the Bostonians expect from us more tenderness for them than for ourselves?" We answer, the Bostonians expect nothing

nothing *of us for ourselves*," and what they expect for *themselves* is justice, not clemency, which never dwelt with tyrants or slaves.

Having commenced in error, like the government he would vindicate, blunders on, and the farther he advances. His very authorities expose, instead of giving him countenance. "If they are condemned unheard, says he, it is because there is no need of a trial. All trial is the investigation of something doubtful. An Italian philosopher observes, that no man desires to hear what he has seen." Any Barrister besides Dr. Johnson would have said this, which is equally an insult to law and justice. To what purpose are courts of judicature, if any man, for any crime whatever, may be condemned unheard? Trial is not a matter of speculation, the investigation of something doubtful. It is the legal claim of every criminal, and the notoriety of the crime is so far from precluding this right, that his own confession before a magistrate, unless persisted in at the bar, can not, by the merciful laws of England, convict him upon trial. It is hard to say in this case whether the Italian or the Englishman be the greater blunderer, the former as a philosopher, or the latter as a lawyer. Affecting or contemptuous brevity leads men into inaccuracies equally ungrammatical and unphilosophical. No man, strictly speaking, not even an Italian philosopher, can see what he hears, or hear what he sees.

He

He is equally unfortunate in his attempt which follows to justify the sudden dissolution of the American assemblies, "because their deliberations were indecent, and their intentions seditious." To dissolve an assembly for *intentions*, is perfectly of a piece with trying a criminal unheard. With him, no deliberations can be decent, but such as are *submissive*. He is for a deliberation like that of our Parliament, without a choice; and it is sufficient for him to accuse the intentions as seditious, when the deliberations are not slavish. Let us congratulate ourselves however, on the concession which follows. "The power of dissolution is granted for such times of turbulence." Their best friends have been lately soliciting the King to dissolve *his* Parliament, to do what they so loudly complain of *suffering*. Opposition to government is of the essence of a free constitution. With the Doctor it is turbulence and sedition. The friends of America did not petition the King to dissolve *his* Parliament for being seditious and turbulent, but passive and corrupt.

It would be childless to answer every frivolous remark.

The chain of Tory deductions lessens as it lengthens, just as in perspective, and appears to give but little support to the main argument. Indeed it is hardly worth tracing any farther, much less taking to pieces. What follows is chiefly palliation, ridicule, recrimination, and menace.

Thus we are told, "To bring misery on those who have not deserved it, is part of the aggregated guilt of rebellion." This remark is obvious, but does not concern the colonies, whose resistance is a just self-defence; it more properly applies to the government which murders subjects in cold blood, in order to establish robbery. At the first aggressor's door will the guilt of innocent blood be laid, and the advocate of tyranny, the prompter of slaughter, shall bear his part.

He grants indeed, with unusual candour, "that governors have been sometimes given them, only that great men might get ease from importunity; and that they have had judges not always of the deepest learning, or the purest integrity;" nay, he goes so far as to allow, "that when incapacity is discovered it ought to be removed; if corruption is detected it ought to be punished."

When the complaints of the people are every where treated as factious and seditious, how is the discovery or detection to be made, unless by the Governors themselves? Who have been often chosen for no other purpose than to cause, and inflame popular discontents; to try the patience and the spirit of the colonies, that the operations of government might be directed accordingly, to oppress the former, by taxation, or treat the latter as rebellion. No government was ever opposed, much less resisted, for "single errors," as is wickedly insinuated, nor even for long repeated ones, unless they were fundamental, and struck

at

at the very root of all security and property, the sole end and use of government.

When argument fails the writer can descend to buffoonery, and thus earn his public tax in a double capacity. — "One of their complaints is not such as can claim much commiseration from the softest bosom. They tell us, that we have changed our conduct, and that a tax is now laid by Parliament, on those *which* were never taxed by Parliament before. To this we think it may be easily answered, that the longer they have been spared, the better they can pay."

To this pleasant insult it may be returned in like manner, that government carried the jest a little too far in neglecting to tax them, till it was unable to do it. It is a poor consolation, to urge a right that cannot be supported by power; and and the ability of the colonies to pay will avail us little, when we have lost the ability to compel them. Men jest with an ill grace who have a losing game to play, and both the laugh and the insult will be bitterly retorted.

To impudent sneer, impotent reproach succeeds. "They have introduced into the history of mankind a new mode of disaffection, and have given, I believe, the first example of a proscription published by a colony against the mother-country." When the mother proscribes the children as rebels, she has no further claim to their obedience, and their retaliation is natural and just. Their pro-

perty is their own, and at their free disposal; and and after drawing the sword against them, we destroy all civil relation and subjection, and have from thence forward no more right to their trade than their taxes. Dr. Johnson might as well, and exactly for the same reason, charge a Whig with proscribing his paper of political poison, and his right of publication, for refusing to buy his pamphlet, as reproach the Americans for not buying *tea*, or any other commodities of their enemies.

He vindicates, by the old convenient doctrine of necessity, the new powers granted to the Courts of Admiralty, and the authority conferred on the judges. "They themselves have made such regulations *necessary*, for the prevention of greater evils." To this it is easily replied without a sneer, that these regulations may be necessary to administration, but not to the colonies.

The pleasantry proceeds, (for so does the *peanion*) "One mode of persuasion their ingenuity has suggested, which may perhaps be less easy to resist. The Philadelphian Congress has taken care to inform us, that they are resisting the demands of Parliament as well for our sakes as their own." The author's genius, like his figure, is too coarse and clumsy for delicate irony. It is no wonder this should be a jest to him, whose philanthropy and disinterestedness were never matters of doubt. The idea of *our* being enslaved by American taxation rouses all his powers of raillery; and indeed he

he may well laugh at the notion of *enslaving* such men as himself. Who in his senses would dream of drowning an eel, or breaking the neck of a crow from a precipice? Slavery is the natural element of Tories; and he very justly characterises the "present generation; which, he says, seems to think itself in more danger of *wanting money*, than of losing liberty."

Although his tender frame has been so much shaken by the terrors of slavery, so formidably denounced by the Congress, his chief feelings seem to be for American treasure. The very mention of that flowing *Pactolus*, to be poured into England, makes him lick his thirsty lips. Having been intoxicated by shallow draughts from a small rill, he hopes to drink deeply from the American stream. But when this treasure is said to be devoted to the purposes of corruption, "to purchase the remains of English freedom," the pensioned advocate of tyranny feels the reflection, and by the petulance of his language shews himself galled. These "croakers of calamity," says he, would make us believe, "that in less than half a century *the Crown will have the power of taxing America at pleasure*. Surely they think too meanly of our apprehensions, when they suppose us not to know what they well know themselves, that they are taxed like all other British subjects, by Parliament; and that the Crown has not by the new imposts, whether right or wrong, obtained any additional power over their possessions."

The

The solemn impudence of this is beyond all example. If the Americans were taxed by Parliament, will he dare to say that they would be taxed *like* all other British subjects, without a single representative, or a single vote? Will he dare to say that when the Crown has a purchased, and a dead majority in both houses at its absolute devotion, that it has not as much the power of taxing all its dominions, as if no Parliament existed? If the Crown can exhaust the civil list revenue in the profusion and dark practices of secret service, contrary to the design of the *grant*, for purposes the most hostile to the nation, and can call upon Parliament to make it good from the public, it is a demonstration that the Parliament is only instrumental; and that the Crown is become the supreme power which can tax the subject *every where*, "without question or account."

The author despairing of his argument, altho' no art has been wanting to support it, begins now to be angry, and would finish his work as he began it, by an appeal to the vulgar prejudices of the mother-country. He would insinuate that the renowned Dr. Franklin has been the "master of mischief," who has worked upon America, like an electrical machine, and kindled a flame which now rages in the glorious defence of freedom. But he and his masters will find, to their eternal confusion, that there are some hundred thousands of brave fellows upon that continent, who can give a "*greater stroke*" to tyrants, than the old philosopher and patriot. He may compare

pare them to the "Scythian slaves, who excluded their own masters from their houses," and thus insinuate that both the men and the houses are the property of England; he has a brawny arm and menaces high; let him go to the King's friends, and help to reduce the slaves to obedience; but he will find it a safer task to rail and reproach them at a distance.

The old terrific idols of the Tory faith, the divine right, and the supreme power, like the wooden Goe and Magoes of the metropolis, no longer alarm the friends of freedom. The rights of subordinate communities are as sacred as those of the mother-country, and when wantonly and arrogantly invaded, merit every defiance, and every resistance, that the spirit of freedom can invent and execute.

The mercenary reptile, the *book-worm*, the tool of traitors, who presumes to say the colonies "exist by sufferance," lies. They have a superior claim to every right of virtuous Englishmen; the right of charters, the right of conquest, the right of industry and toil, the right of possession and cultivation, and to their confusion, the only right that Tories allow, the right of power; a power, that the insolence of office, and usurping tyrants will be made to feel, if there be any spark of the same virtue in this country.

The parallel drawn between the American and a Cornish Congress, is similar in falshood and folly to
that

that between a provincial tax and a parish cess. A parallel without a similitude, a mere childish play of fancy to divert an exhausted and worn-out argument. When America has representatives in Parliament, or Cornwall a charter, and a provincial government under the deputy of the Crown, and not till then, will it be worthy of notice. Although a poet and rhetorician, the Pensioner is no less unhappy in his similes than his reasoning. "The argument, says he, of the irregular troops of controversy, stripped of its colours, and turned out naked to the view, is no more than this. Liberty is the birth-right of man, and where obedience is compelled there is no liberty. The answer is equally simple. Government is necessary to man, and where obedience is not compelled, there is no government."

Here is a military allusion, of troops, with colours, being turned out, to view, or review; and we are taught that they are clothed with their colours, or else being stripped of those colours, they could not be turned out naked to the view. This is a new, but economical mode of clothing an army, borrowed from his manner of dressing his own argument. What follows is equally original and entertaining. For although it is true that "where obedience is compelled, there is in that instance no liberty." It is indeed a very simple, not to say silly answer, that "where obedience is not compelled, there is no government;" otherwise compulsion and government must be the same thing, and it would be disobedience to obey voluntarily

luntarily, or without compulsion. What a tyrant in grain is this man, who will not suffer us to obey till we are compelled, or to submit till, like the * *Bookfeller*, we are knocked down?

But who knows after all, as he confesses in the next paragraph, the Cornish proclamation to be *buffoonery*, that the whole argument is not of the same complexion? He talks of threats "hissed out by the Congress," as if it were another Pandemonium transformed to snakes. Presently after the Americans flutter as cranes, to make war upon pygmies; and that perhaps may be true enough in the event, if we may judge of our future prowess by the gallantry of the *Lexington* expedition.

The mortifying truth is, we are no more able to compel by arms, than to convince by argument. General Gage is driven to stratagem and entrenchments; and Dr. Johnson to sophistry, and scurrility. Thus the Americans are said not only to "*kiss* threatnings, but to "*creak* calamities," and "*yelp* for liberty;" to "*bellow* as patriots," "*bluster* as soldiers, and domineer as legislators;" "to have obeyed no law which they could violate, and to have entered into associations of fraud to rob their creditors." He can neither speak of them with justice or civility; and were the mighty Generals gone over to chastise them, to give them as little quarter, they would hardly be spared, even for the fleece of taxation. Ungrateful monsters as they are! When

* Alluding to a well-known story of the author.

we "delivered them from the yoke of tyranny the last war, thus to repay the benefit," by spurning at equal bondage from the generous parent! who, so far from covering their dirty pelf, is now only "contesting for power, and the honour of domination." Taxation can not be her object as the means of power; but power, as the title of taxation. Every one knows that money is the *last* object of the present government, although faction would insinuate that it is the first also. "The question is not now how much we shall collect, but by what authority the collection shall be made." This might have been a question with people blinded by prejudice or ambition. It is now, I fancy, pretty near out of doubt. The office of a Collector is become so troublesome, that I imagine Doctor Johnson himself, though not altogether above filthy lucre, would rather chuse to decline both the honours and emoluments of it. To be paid in lead and iron instead of gold and silver, it is feared, will render these taxes hardly worth collecting.

The ridicule in which the Americans have been dressed, in order to render them contemptible, recoils already with double poignancy upon its authors. It has thrown confusion into the faces of their enemies; it will fall heavy upon some of their heads.

Supposing it possible however for the worst to happen, the general revolt of America, he consoles himself, and endeavours to deceive the public by this fallacy, which conveys falshood in every tittle of it.

"That

"That between losing America and resigning it there is no great difference." By which it is insinuated that there is no other alternative. That America governed us in the preceding reigns, is no better than lost or resigned. Whereas he knows perfectly well at the same time, that we might at this instant have possessed all we ever did possess, or were legally entitled to claim, had not a government of a different complexion grasped at the whole; and it is ridiculous to talk of resigning what never was never ours. We never had a right to their property, further than the benefits of an exclusive trade gave us. We never had any dominion over them but what was reserved in their charters; and to these they have always been obedient. What we aim at more, a *double* dominion, and a *double* taxation, by the Crown abroad, and the Parliament at home, is usurpation and tyranny, which, as it is justly, will, I hope, be effectually resisted.

It is enough that our colonies pay an enormous advance upon our commodities, owing to our taxes, at the same that they are subject not only to parish *assessments*, but to colony taxation, which their fallacious and mortal enemy would insinuate to be one and the same thing. But this will not content the leaches in power so long as they have any thing left. If they were actually to give ninety-nine parts in a hundred of what they possess to government, and had the presumption to call the remaining part their own, Despotism would find itself equally aggrieved as if the whole

were refused; and Doctor Johnson would say they deserved to be dragooned, for having the insolence to give, before it was demanded and taken from them. And indeed, as by the Tory creed no subject can be master of himself, it follows by unavoidable consequence, that he can be master of nothing else. Thus the idea of private property is clearly absurd. Where there is any other supreme power besides the laws, which the people themselves make or consent to, there can be no property; because being vassals to that power, every thing which they possess must of course belong to it too. And to do our opponent justice, he has very consistently with this principle, asserted in a former part of his work, "that the ancestors of the colonists had ceded to the King and Parliament the power, if not the right to *dispose* of their *lives, liberties, and properties*. A doctrine which deserves no answer but by impeachment, and the hands of the common hangman,

It is hard to say whether the slavishness of this writer, (beneath the feelings and the form of a man) or his hypocrisy be the greater. He pretends to moderation, and even tenderness, at the same time that he advises to "restore our conquests to the French; to give arms to the Indians; to teach them discipline, and *encourage* them now and then to plunder a plantation; to turn out the soldiers to free quarters; and arm the slaves against their masters." But after all, far be it from this pious and humane "Englishman to thirst for the blood

blood of his fellow subjects!" he only *hints* to government every diabolical means that the most rancorous and cowardly malice could suggest for their destruction; and then affects with a hollow heart, to deprecate the vengeance he has pointed out, and prompted, and to turn it against the "original contrivers of mischief at home. "If they wish, says he, success to the colonies, they are traitors to this country; if they wish their *defeat*, they are traitors at once to America and England." But if the man who has laboured every argument, and moved every engine to destroy and reduce them to the lowest state of slavery, does not wish their defeat," who else can deserve that imputation? He is therefore, by his own declaration, a traitor to both countries, and, as I firmly believe, an enemy and a traitor to all the rights of mankind.

Can any thing be more contradictory to this than what follows in the next sentence? The Americans have made it necessary to *subdue* them." Can they be *subdued* without being *defeated*? And if they are traitors who only *wish* the defeat, what are they who actually *subdue*? It is not a little absurd, to say a measure is necessary before it appears to be practicable. But the Doctor's sanguine zeal, both wishing and anticipating the defeat, calls upon government for "stricter laws and stronger obligations," that is, an *absolute authority*, and a *standing army*.

He

He has great yearnings for the "miserles of war," the sorrow of those *that* shall be ruined, and the blood of those *that* shall fall," but he is, notwithstanding, terribly afraid of a "noxious clemency being shewn to the survivors, which enacts no forfeitures, and establishes no securities." Although the defence be called by the opprobrious name of rebellion, his tender nature recoils at the idea of its defeat; and when subdued without a defeat, as he takes for granted, he is then for tying them neck and heels, from the same motive of compassion, lest the free use of their limbs and their understandings should bring them into future dangers. He "supposes their charters being legally forfeited, may be new modelled, upon any plan, as shall appear most commodious to the mother-country, and that privileges which are found by experience liable to misuse, will be taken away." To this we can only say, it will be prudent to subdue the men, before their charters be new modelled; and it might be adviseable for government to take away their arms first, and their privileges next.

With regard to the facetious treaty with America, if it should prove *victorious*, which he puts into the tail of his performance, as a sting of reproach. We can have no objection to the mutual imports and exports of both countries, as far as mutual interest may direct, as in all commercial transactions ought to be the case. Instead of two guns from a fort in return to a salute of four,
Ame-

America, from her ancient attachment to the mother-country, will condescend, though victorious, to an equal number. And to shew the justice and liberality of her sentiments, will reprobate nothing as contraband, but the intended instrument, and the plotters of her destruction, TEA and TORIANS.

GENERAL REMARKS

ON THE
LEADING PRINCIPLES

TAXATION NO TYRANNY.

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WHEN sycophant slaves endeavour to flatter Kings into tyrants, that they may share the power and the spoils of tyranny, it is the duty of honest men, and independent citizens, to counteract the delusion, by exhibiting to them the same objects in the mirror of Truth, which have been magnified in the glass of Flattery. By shewing them that their authority is delegated; that they act in a trust; that they are accountable to the community for the abuse of it, as much, and as justly, as individuals are to them, whilst they exercise it lawfully.

It is a melancholy consideration, that men of learning and talents, should not both blush and fear to publish doctrines equally subversive of the rights and virtues of mankind, which, from the unhappy prejudices of education, and the strong persuasions and allurements of ambition, princes are but too ready to adopt without that pernicious sanction.

sanction. They are early prepossessed with high notions of prerogative, as something that belongs to them independent of the people; and are seldom or never taught this wholesome truth, that as kings, they are altogether made for the public. That prerogative belongs to the Crown, not to the Prince who wears it, and must be subservient to the protection of those who delegated the power for public good, not for personal greatness. The King who has flattered himself, or been flattered by others, that his sovereignty is a personal, inherent right, neither held from, nor accountable to the people, will soon learn to treat them as vassals, and to consider their property as his own. He will not confine himself within the limits of a Civil List revenue, but will exhaust it at pleasure, in expences either useless or hostile to the nation. His debts of honour, that is, *debts* to men who betray their country, will be *punctually* paid, although in the most distressing arrears to his household and tradesmen. He will be so far from regarding himself as the steward of the public treasure, that he will think it a sufficient authority for any depredation upon it, when a vote of the Commons, *bought* with a share, gives it the form of a voluntary and a legal grant. Thus the real necessities of the best subjects will be increased to feed the avarice, and reward the villainy of the worst. Whilst, under professions of piety and economy, the most fatal example will be set to the public, of unprincipled profligacy, and unbounded profusion, employed to seduce and corrupt virtue, not to encourage and reward it. And

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the poverty that follows so wicked a prodigality, is the most shameful that can be imagined. The very Crown is in disgrace when thus pledged to the wants of domestics and dependants. And if not a stranger to the feelings of humanity, and the calls of justice, must blush and groan in secret, to reflect that the real poverty of thousands, who never tasted a luxury, must pinch still nearer, to feed the fountain of corruption, and the insatiable cravings of artificial wants. The wants of Avarice—the worst of follies. The wants of Ambition—the worst of vices.

The ear-tickling parasites who first betray their Sovereign into poverty, and then into rapacity, by doctrines which would exalt him above law and property, are the real enemies of the Crown and kingdom. If the errors they teach were errors of judgment only, they might be removed by argument; but, when by inflaming a lawless ambition, they become errors of the heart, Reason declines the unavailing contest, and the last appeal must be made to Heaven. However, as the field of argument is yet open, and the ministerial champion upon the ground, the author of the following letter enters the lists, like David against Goliath, and hopes by the simplicity of truth, if like Goliath's, his head be penetrable, to give a good account of the uncircumcised Philistine, who presumptuously defies the common sense, and common rights of his country. But when he sees the daily insults offered to Reason and Argument in the great field of national debate, *the Senate,*

nate, where truth and justice are borne down and trampled under foot, by an *unblushing* majority of *ministerial* hirelings, he cannot flatter himself that any production from the press will meet with a more candid treatment. For although a mock combat be kept up by government from this quarter, to amuse and divert the attention of the public, while it steals a fatal march upon freedom in America, it is too evident that this arduous dispute is not to be decided by the pen, but—*the sword.*

There are two positions or axioms, which serve as the main links in Doctor Johnson's Chain of Political Deductions. The first is, "That the supreme power of every community has the right of requiring from all its subjects such contributions as are necessary to the public safety or prosperity." And the other, "That in sovereignty there are no gradations. That government cannot be limited, but is ultimately and essentially *absolute*, exempt from question and controul, and bounded only by physical necessity." That is, every government can do what it pleases, and do right, until called to account by a stronger power. So that power is government, and government is law in all communities.

There is much plausibility in the first of these positions. But it will not hold good of this community, the government of which is in King, Lords and Commons, as a legislature, but not a supreme power. For this government does not

claim a right of requiring contributions from the subject. The estimates of expence for the current year are laid by the executive branch of it, before the Lower House of Parliament for their approbation, and it rests with them, as the representatives of the people, and the guardians of public property, to grant or refuse these aids and contributions, of which they are the sole constitutional judges, and not the supreme power, or government, as the position takes for granted. And this check from the people, by their representatives, upon the executive power of the Crown, is the essential criterion of their freedom, and the single circumstance which limits the power of government, and destroys its supremacy. Therefore, in this position, the two important doctrines which it lays down for implicit assent, are really begging the question. That in all communities the government is a supreme power, and that this power has the right of taxation, unquestionable and uncontrollable. Whereas, by the very principles of this constitution, the government is bounded by law. And the right of taxation is vested in one branch of the legislature, which represents the people. The learned author takes for granted, what is to be proved, that government is necessarily a supreme power, which, government according to law, cannot be; because that which guides and limits power, destroys supremacy. As supremacy without the limit of law, is in this country tyranny, so taxation by a supreme power, without the consent of the nation, would be robbery. And indeed the mode of requisition proves

proves it to be a free grant, and not an absolute demand. The fallacy of this artful position, framed to deceive the unlettered and unwary, lies in the supposition that all governments have a supreme power. Establish the doctrine of supremacy, and the right of taxation follows of course. But, it is essential to this government to be limited and controuled in all its branches, separate and united by the laws and constitution. And that the property of the Commons cannot be invaded, but by the sole right and power of their own representatives, is a demonstration of this limitation. And therefore both its supremacy, and right of taxation, fall to the ground.

These positions are particularly unfortunate in their application to the Government of Britain, where the Commons have so frequently put a negative upon the requisitions of the Crown, under their most arbitrary Princes. And wherever the dominion of the Crown extends, the people have the same constitutional controul upon its power. They have every where the same inherent right, as British subjects, of granting their own free aids and contributions to the state, by representatives in Parliament, *actually* chosen and delegated by them. Which sacred and essential right of Britons, as it is locally impossible for the American colonies to exercise here, they are fully entitled to enjoy, in their own provincial assemblies or parliaments, under the double sanction of their *charters*, and the great charter of the land. And to these rights, and this *local* necessity (which

is really a "physical necessity") government is bound to submit. If representation be *any where* a legal right, it must be *every where* the same within the limits of that jurisdiction. And, as the people of Great-Britain are constitutionally one estate of the realm, and that important one which presides over public property, it is equally just and reasonable, that the same powers and privileges arising from representation, should *every where* keep pace with, and be proportioned to population. Otherwise the dominion and revenue of the Crown must soon become so great and enormous as to annihilate the power of the Commons, thus unequally represented; and under an encroaching influence, which nothing but an extended representation can resist.

In the scale of this well-balanced Constitution, as revenue is a tax upon population, so representation is a check upon revenue, essentially necessary to poise the beam betwixt the two extremes of regal and democratic tyranny. And it is certain, whatever the abandoned tools of the Crown may advance to the contrary, taxation and representation can never be separated upon the principles of our constitution, or that natural justice on which it is founded. For, if population, which is natural strength, gives no additional powers to the people by property and representation, while it entrenches the revenue and the power of the Crown, this gross absurdity must follow, that natural strength is political weakness; and America, instead of growing formidable by numbers, will
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from the very powers of its premature growth, sink as rapidly into an irrecoverable decline.

Parliamentary representation is not only the great check upon the power of the Crown, but is the only means that human wisdom could contrive to keep the political scale in exact equipoise. It may be concluded, that government does nothing materially wrong, while the people, fairly represented, freely part with their money to support it. Whereas, if government could make free with the public purse without its consent, it would be under no restraint or controul whatever, but the law of tyrants, convenience. A law which Doctor Johnson approves of, when he tells us, "Charters may be taken away when found inconvenient."

And with regard to virtual representation, it is a notion that exists no where but in the head of Folly, and on the tongue of Treachery. A man cannot represent another in a voluntary act, of any kind, much less in disposing of his property, without a commission or deputation. Much less can he do it *contrary* to the will and pleasure of the party represented, and when their interests are so far from being reciprocal, that they are contradictory and opposite; as they certainly are between the American colonies, and the landed representatives in the British Parliament. The people of England, whatever (to serve a wicked purpose) has been advanced to the contrary, are all actually represented, though not immediately, in the fifth instance.

instance. The constituent body who chuse the representatives of the whole commonalty, have themselves been chosen by public consent, with certain qualifications, to transact a business for every individual, which it is impossible for every individual to transact for himself. The people of England in the aggregate, are therefore more than virtually represented. The House of Commons is their own choice in the second instance, as it is chosen by those to whom they delegated the power. And we all know the old law maxim, *qui facit per alterum facit per se*.⁵⁰ Therefore, England is actually represented, not virtually. But America, having no connection with county, corporation, or borough, nor any kind of relation in the first or second instance to the electors, can in no sense whatever be represented in the English Parliament; and therefore not virtually, unless there may be a representation without a relation. And happy it is for the whole empire, that this virtual representation is a mere chimæra. For if the Crown, by means of its present revenue, can command so great a majority of parliament, what would be its power, if, by a virtual representation only of that corrupt body, another vast revenue should be raised from the continent of America? It would then, instead of a corrupt Parliament, be able to support numerous standing armies to enforce its claims. And, in all probability, the farce of a mock legislation, long kept up to indemnify the Crown and ministers, and insult the nation, would become as contemptible to government, as it has long been infamous in the eyes of the public.

So much may serve for the first position, or link of the Tory chain of political deductions. With regard to the second, (the supremacy of government) the pensioners and hirelings of administration, when they speak or write of government, affect to call it a supreme power, which the people have no other concern with, than implicitly to obey. As they speak of Kings as the Lord's anointed viceregents, so they seem to think power a kind of sacred commission coming directly from Heaven, and to be submitted to, under every innovation or abuse. Whereas, it is the creed of Englishmen, and the ground of our envied constitution, that power is derived from the people; that government is no more than a voluntary delegation of so much of it to particular magistrates under certain modes and restrictions, as they apprehend to be for the general safety and prosperity. Nor when governments are thus formed, can we suppose that the people utterly and finally relinquish the right of self defence, since that is unalienable from man's nature, as the first law of his being, and will always remain to him as a right to control and punish the mal-administration of government; which being originally the creature, must always be the servant of the people. This is a Whig position, which admits explanation; it must be felt to be understood, and that can only be by men, not by slaves.

I might say, were it not insulting common sense, that all persons acting under a trust, are account-

able for the execution of that trust, according to the tenor of its conditions and obligations. To suppose therefore that they who abuse the most sacred of all trusts, to the worst and most destructive of all purposes; who, in one crime, *tyranny*, violate every law, are not to be resisted, degraded and punished, is an absurdity too big for the throat of credulity to swallow. Yet this is the monstrous doctrine of a supremacy in a free state, which demands unlimited obedience; and which Dr. Johnson affirms, with equal grossness of argument, and baseness of nature, to be "inherent in every government." "There may be limited *royalty*," says he, "but there can be no limited government." So that according to him, all compacts between the people and government pass for cyphers; their mutual oaths are without meaning, obligation, or penalty, and the laws are of no more force or validity in this country against despotic power, than in Tartary and China. For if government be supreme, it is above the law; otherwise there must be two supremes in the same state; but if the law be paramount, then all other powers may be lawfully resisted. And indeed when we suppose a supremacy in government, which, on no occasion, can be lawfully resisted, we destroy the difference betwixt free and absolute governments. The idea of political and civil freedom, is to live under a government of laws, founded on natural rights, which cannot therefore subvert those laws and rights. Supremacy is the very essence of despotism; there is only a nominal distinction between a British

a British parliament and a Turkish divan, unless the former may be resisted lawfully.

A King of Great Britain, when invested with his office at his coronation, swears to maintain the laws and the rights of his subjects, both civil and sacred; and the people swear allegiance to him upon that sole condition. If the oath and compact be grossly violated and broken on one part, the allegiance is dissolved on the other. The Peers are an hereditary branch of the legislature, but are equally bound by oath to support the constitution in church and state. And the members of the lower house, entrusted with the property and freedom of the commonalty, sit in parliament as representatives of the whole people ultimately, tho' immediately only of that elective body to whom they delegated their rights, but did not resign the power of resuming them, whenever they shall be abused to their prejudice, instead of being employed for their protection. The representatives of the people can therefore never be supposed lawfully to consent to any thing destructive of their rights and privileges. But if under a government hostile to all principles of truth, virtue, and freedom, they should betray their trust, and sell both themselves and the nation, it is evident that the compact between the representative and represented bodies would be null and void; and the legislature being imperfect by this traitorous defection and revolt of the Commons from the people, it is clear to demonstration, that no resolutions or acts of parliament in that mutilated state, could

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be valid or binding upon the nation by any principle of law or justice; since, in fact, it is the same thing to the public, whether one of the three estates be turned out of the house, or disabled any way from acting in it, according to the true intent and purpose of its institution.

It has been doubted by very wise men, whether the unlawful expulsion of a single member, as in the case of Mr. Wilkes, did not vitiate the proceedings, invalidate the acts, and even annul the authority of that prostituted parliament; can we then suppose any validity in the decrees of a senate, if a great majority should be actually disqualified by corrupt influence from doing their duty in both houses? When the integrity of government is violated, its authority is lost; my allegiance is to the King, acting within those limited powers only which the constitution gives him; should he usurp more, either by force or intrigue, and arrogate, by a misapplication of the public treasure, the whole powers of the state, he is not the King I swore homage to, my allegiance is therefore dissolved. In like manner, my obedience is due to laws enacted by King, Lords, and Commons, in their free, efficient capacities. If it should appear on the contrary, that one or two of the estates of parliament were under such influence from the third, as to destroy their independent conduct, and consequently to make a traitorous surrender of the constitution to that third power, I should make no scruple to say, although forms might be preserved, that there could be no validity in laws enacted by the real pleasure of one, although

although fraudulently stamped with the signatures of the two inefficient branches. And I could have no reason to doubt of such influence on one hand, or delinquency on the other, when I saw either a constant and uniform acquiescence of the two with the measures of the third, or found from the laws themselves, that they were repugnant and hostile to the rights of the people, and calculated merely to aggrandise that undermining, corrupting, and usurping power, at the expence, and to the utter ruin of the public.

And here it is worth observing, that the supremacy of our parliaments is a doctrine only coeval with their prostitution. When they had real power, that is, when they were honest, and did their duty, they were flattered in no such courtly strain. But when they became pensioners and panders of the Crown, they were decked with this borrowed plume, to mock their fallen honours, while only meant to grace the royal diadem. For as the Crown can not directly assume this power as part of its prerogative, it is policy to acquire it through the legislature. While it is parliamentary supremacy only, it can excite but little jealousy. The more supreme, (if one may so speak) or even omnipotent parliament, can be made, when it has a right understanding with the Crown, the better the purposes of both will be answered. The latter will acquire more power, and the former more money. A parliament that with the Crown's concurrence can enact laws to transfer the property of America into the Exchequer, can not well have too high a title,

title, or too high a price. It is a point long since settled by our admirable Poet:

What is the value of a thing,

But just so much as it will bring?

And who can doubt, if the great powers of Dr. Johnson's pen were, like his own governments, irresistible, but that Oxford would have conferred yet higher honours, and his Scotch friend the Earl of Bute, a larger pension?

Under such an administration of government, sapped to the lowest foundations, and sliding fast down the soft declivity of luxury into the gulph of tyranny, we anticipate the principle of despotic rule, and obey through fear, when justice, honour, and virtue, command resistance. But the spirit of resistance cannot survive the sense of freedom, nor that the sense of honour. We have tamely stood by and seen our invaluable political rights treacherously undermined, or violently invaded, and the free constitution of our country subverted: this fleet anchor of our liberties lost, what shall preserve from speedy wreck, our civil rights and personal property? A Scotch Chief Justice has found the means to render juries almost as efficient as our parliaments: he has stamped a stigma upon truth and justice too, by his doctrine of libels: and when the press has sustained a few more shocks from the King's Bench, where tyranny, supported by fraud, holds an uneven balance in her left hand, and a scorpion whip in her right, we shall

shall be compelled to copy, with their manners, the shrugs and grimace of Frenchmen. It will be a little humiliating at first for an Englishman to be afraid of speaking his thoughts; to be obliged to teach his limbs and features, the mute eloquence of passive slaves; but time and habit, which render all things tolerable, will soon make him as easy, and as it appears, as gay as his neighbours, under this disgrace.

It is ridiculous to suppose that government, which is every where a tyrant, with or without a muzzle, will treat us with more respect than we treat ourselves. The man who infamously sets a price upon his own head, is many degrees below a beast, and a disgrace to any government, by having degraded the image of his Maker, in his reason and moral freedom: nor can the lash of power fall too heavy on the backs of those, who would enjoy the honours and rewards of virtue, with the wages of infamy. Even tyranny does honour to knaves and fools in taking charge of them, when they can no longer govern themselves; and when a man has sold his own birthright for a pension, both interest and envy will prompt him to sell, or betray, that of his brethren.

I have thus given a concise, but I believe pretty just representation of the two principles of government, commonly called Whig and Tory, principles which have long rent, and must continue to rend these kingdoms into the most hostile parties, until one shall have swallowed up and destroyed the vestiges of the other.

So

So opposite are they in their origin, nature, and effects, that they can never admit of any medium or reconciliation, any more than their different sources, freedom and tyranny, virtue and vice. By the one all power is held to be from God only, and therefore to be passively obeyed; by the other, to be delegated by the people, and therefore when abused, to be lawfully resisted; and, for self-preservation, overturned and annihilated. The one is founded on ignorance and superstition, and is the parent of usurpation, slavery and oppression. The other on nature and equity, and is the source of law, liberty, and property. To unite as far as possible the different claims of prince and people, the governing and governed, a mixed form of government has been established in Britain by the medium of a legislative parliament, which, although planned by the utmost stretch of wisdom and experience, is like all human inventions, short-sighted and imperfect, having interwoven in its very frame and texture, like the frail being it was designed to govern, the discordant principles of its decay and dissolution, and depending like the vital functions, upon the due balance of its different powers.

We see indeed, in the great system of the world, that an elementary strife, under the controul of general laws, is productive of order and harmony; and could all the error, obliquity and depravity of the human mind and will, be subject to a like controul, the same order and harmony would be found in the civil and moral world. But as moral

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freedom is essential to moral rectitude, and men who think freely must often think and act differently, an opposition necessarily arises to government in free states. A constant, unvarying legislative majority, is therefore a phenomenon which no natural or moral principle can account for. It is a monstrous and obscene birth from the prolific ferment of corruption. The little domestic tyrants, *the passions*, having subdued reason, honour, and conscience, easily pave the way for—the tyranny of government, which, in its turn, finds the means to gratify these obsequious friends, by robbing the innocent to bribe the guilty; and if this does not cure the diseases of the constitution, it affords at least a temporary remedy for the instability of government, by substituting a principle more steady and uniform than reason or virtue, which is—*interest*; and this cannot fail of recommending it strongly even to pious princes and virtuous ministers; for surely the principle which unites and makes men agree, must be as much better than that which makes them differ, as peace and concord are better than faction and tumult; and since there can be no danger from the encroachments of power, and the people's interests are always *safe* in the hands of government; (for this plain reason, because no one in his senses will milk his cow dry) therefore Doctor Johnson proves demonstrably *a priori*,—that governments never did, nor could oppress their subjects—That Nero did not burn Rome—nor George the Third starve the people of New England; because it is evident, no taxes can be drawn from a starved

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province,

province, and "a legislature commonly provident as he observes, will tax them so, as that we may not lose one way what we gain another!" Let us then have no more absurd clamours against a corrupt legislature, as it appears from the Doctor's reasoning, that all governments are in effect the same, and that the present uniform and steady majority of Parliament, when they are bribed, really take nothing from the people; and it must be owned they have done our business, and that of the colonies too, full as expeditiously and effectually as the most independent parliament could have done. Who can say that counts their numbers, and does not see their venality, that they have not reason on their side as well as power? Their defeats in argument serve only to encrease their triumphs upon the question, and the lungs of opposition labour both for—their credit and emolument. The same men who expose keep them in countenance, and were the minority to *secede*, the farce of legislature would become so ridiculous, that they would be obliged to *hire* an opposition at *double wages*, of men formerly used to it, such as Meredith, Wedderburne, and Cornwall; for without the face of deliberation and colour of debate, they would blush to look at one another, which is paying them no small compliment, and they would be compelled by the glaring prostitution and infamy of such a spectacle, to shut up their doors, and hide themselves from public indignation.

REGULUS.

CH A I N O F D E D U C T I O N S

Drawn from one clear Principle of Common
Sense and Experience.

POWER is derived from the people!

The several portions of it granted to different
magistrates for the protection of the whole,
constitute governments.

Government therefore is manifestly a trust from
the people to those magistrates.

Consequently, it can not be lawfully employed to
the prejudice of those from whom it is delegated.

Or if in the wickedness and wantonness of power,
governments should imagine themselves the
source, which are only the artificial streams,
and should usurp upon the rights of the people,
they are liable to account with their constitu-
ents, for powers not their own.

For,

For, it is clear, whatever degree of power may be delegated to magistrates, according to the different modes of government, adopted by the people, that they can never alienate, or finally part with the right of self-preservation and defence, which is the first law of nature.

Therefore so long as self-preservation and defence is a natural and unalienable right, no government can be supreme or unaccountable. For it is so far from lessening either the evil, or the crime, to be oppressed by established government, that it very much enhances both.

Since common sense will teach us, that it is the greatest of all civil violence and outrage, for government to destroy those personal rights, which it was instituted to give greater security to.

When therefore the only rational end of government is annulled, the protection of all civil and sacred rights, its authority falls to the ground, and subjects are absolved from obedience. Since no one can be bound by violated compacts, nor can any law, but that of necessity, compel a man to surrender to tyranny, what government had sworn to defend. If I entrust another with arms, and pay him for my defence, and he treacherously turns them against me, it is my right and duty, by any means of force or stratagem, to recover the power thus abused to my prejudice.

And

And this resistance to usurpation is not rebellion, as Tory slaves would persuade us, but a just, virtuous, and honourable self-defence, as well as a patriotic defence of the public.

Rebellion is a hostile attack upon government lawfully administered; and its criminality is not so much in striking at the delegated authority of one or many magistrates, as attempting to subvert the rights and established order and happiness of the community, which gave the original sanction of their authority.

Therefore the greatest and most unpardonable of all treasons, or rebellions, is that of government itself against the community; from whose inherent source of power, and for whose preservation, it was instituted and established.

Upon which clear principle it follows, that a KING under this predicament in a free state, is a GREATER REBEL and TRAYTOR to the realm, than any individual can be against him.

Because *his treason* is against the MAJESTY of the WHOLE PEOPLE, and those ORIGINAL RIGHTS and POWERS DERIVED FROM GOD ONLY; whereas that of his subjects is only against a deputed power, even when lawfully employed: But if the CROWN itself should be in a STATE of REBELLION against the LAWS and NATION, by endeavouring to SUBVERT the FORMER, and ENSLAVE the LATTER, RESISTANCE is then so far from

from being criminal, that it becomes an heroic virtue.

Unless, according to the Tory creed, we could suppose the people made for Kings, and not Kings for, as well as by the people. A position which common sense reprobates, equally, for its foolish absurdity, and slavish infamy.

And although the old doctrine of a divine right, which held bigots of a Monkish age in fetters of brass, be given up for another fraud of a less pious, but more plausible nature, the supremacy of Parliament, it matters not a rush to considerate men, whether the Crown be made absolute by religious prejudices, or the cant and quibble of law; by a church, or Parliamentary juggler; by the papal insolence of a LAUD, or the insidious treachery of a MANSFIELD.



F I N I S.

